

EXHIBIT

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I, Clint J. Brayton , declare:

1. I am counsel of record in the above-captioned matter. The facts contained herein are within my personal knowledge. I could and would testify to those facts if called as a witness in this matter.

2. I have read all 43 of the employee declarations submitted in support of Plaintiffs' Opposition to Defendant's Motion For Decertification, which have been submitted with the Index of Exhibits in Support of Plaintiffs' Opposition to Defendant's Motion For Decertification. True and correct copies of the Declarations are attached hereto in alphabetical order.

3. Plaintiffs' employee declarations include employees who worked in the Deboning Department, Cut-Up/Packing Department, Evisceration Department, and Live Receiving Department.

4. The following paragraphs contain an accurate summary of the Plaintiffs' employee declarations submitted in support of Plaintiffs' Opposition to Defendant's Motion For Decertification.

Defendant Provided Plaintiffs With PPE And Related Clothing And Equipment That Was Integral And Indispensable To Their Work

5. Defendant required, encouraged and/or permitted Plaintiffs to wear and use PPE and related clothing and equipment, including, without limitation: earplugs; mesh gloves; rubber gloves; cotton gloves; hairnets; arm guards; plastic sleeves; rubber boots; safety glasses; plastic aprons; and smocks.

6. Plaintiffs were required to wear similar PPE.

7. Supervisors required all production workers to put their equipment on prior to the start of their shift.

Declaration of Elba Gonzalez ("Gonzalez	5. Farmers Pride requires me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007,	Deboning
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Decl.”) ¶¶ 5, 9	<p>my equipment and protective clothing included an arm protector, smock, mesh gloves, plastic gloves, cloth gloves, hairnet, earplugs, and slip-on rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
Declaration of Felix J. Lopez (“F. Lopez Decl.”) ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, gloves (plastic and cloth), plastic apron, hairnet, earplugs, arm protector, and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Mirca Arrendondo (“Arrendondo Decl.”) ¶¶ 5, 9	<p>5. Farmers Pride required me to wear equipment and protective clothing as a Trimmer in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic apron, hairnet, plastic gloves, mesh gloves, arm protector, plastic sleeves, earplugs, knife sharpener, and steel-toed boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Elsy E. Melgar (“Melgar Decl.”) ¶¶ 6, 11	<p>6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, metal gloves, white cloth gloves, plastic gloves, protective glasses, earplugs, a hairnet, a plastic</p>	Deboning

	<p>apron, plastic sleeves, and steel-toe rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
<p>Declaration of Damaris Perez ("Perez Decl.") ¶¶ 5, 12</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, plastic apron, arm guard, earplugs, hairnet, plastic gloves, cloth gloves, mesh gloves, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
<p>Declaration of Maria M. Vargas ("Vargas Decl.") ¶¶ 5, 10</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included an apron, smock, hairnet, earplugs, protective sleeves, rubber gloves, plastic gloves, cloth gloves, and rubber slip on boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors including Madeline and Carlos told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
<p>Declaration of Gladys Urbaez ("Urbaez Decl.") ¶¶ 5, 11</p>	<p>5. Farmers Pride requires me to wear equipment and protective clothing as a Cutter in the Deboning department. Prior to late fall 2007, my equipment and protective clothing consist of a smock, earplugs, arm guard, apron, hairnet, plastic gloves, cloth gloves, mesh</p>	Deboning

	<p>gloves, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
<p>Declaration of Johanna Tavaréz ("Tavaréz Decl.") ¶¶ 5, 10</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, cloth gloves, metal gloves, a hairnet, smock, arm protector, earplugs, apron, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
<p>Declaration of Milciades O. Santana ("Santana Decl.") ¶¶ 5, 10</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning department. My equipment and protective clothing included a smock, plastic apron, cloth gloves, plastic gloves, metal gloves, beard net, hairnet, earplugs, arm protectors, rubber boots, and plastic sleeves. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
<p>Declaration of Yolanda Romero ("Romero Decl.") ¶¶ 5, 11</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a plastic apron, smock, rubber gloves, mesh gloves, slip on rubber boots, hairnet, arm protector and earplugs. My supervisors required me to put on</p>	Deboning

	<p>this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
Declaration of Selina Rodriguez ("S. Rodriguez Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department.. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, cloth gloves, cloth smock, and plastic apron, hairnet, arm protector, ear protector, rubber slip on boots, and mesh gloves. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Jophse E. Rodriguez ("J. Rodriguez Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a hairnet, rubber slip on boots, cloth gloves, rubber gloves, plastic gloves, earplugs, plastic apron, arm protector, and smock. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Maria Patino ("Patino Decl.") ¶¶ 5, 12	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic gloves, cloth gloves, mesh gloves, plastic apron, plastic sleeves, earplugs, steel toe boots, and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.</p>	Deboning

	12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.	
Declaration of Jose Pedro Hernandez ("J. Hernandez Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing as a in the Deboning department. My equipment and protective clothing included a plastic apron, smock, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, arm protector, and slip-on boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Evelin Hernandez ("E. Hernandez Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included rubber slip on boots, gloves (cloth, rubber, and mesh), earplugs, arm protector, hairnet, cloth smock, and plastic apron. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Jacoba Ysabel Cuevas ("Cuevas Decl.") ¶¶ 6, 12	<p>6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, cloth apron, hairnet, cotton gloves, rubber gloves, mesh gloves, plastic sleeves, earplugs, arm protector, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of the order that I did the</p>	Deboning

	activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.	
Declaration of Amado Contreras ("A. Contreras Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included gloves (mesh, cloth, and plastic), a plastic apron, cloth smock, earplugs, arm protector, hairnet and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Maria Cerda ("Cerda Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing as a Cutter in the Deboning department. My equipment and protective clothing included a smock, plastic apron, hairnet, rubber gloves, cloth gloves, mesh gloves, plastic sleeves, earplugs, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.</p>	Deboning
Declaration of Javier Pagan ("Pagan Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included rubber boots, a mesh glove, rubber gloves, hairnet, earplugs, plastic apron, and a cloth smock. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning

Declaration of Magdalena Cid ("Cid Decl.") ¶¶ 5, 11	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included earplugs, smock, a plastic apron, steel toed boots, cloth gloves, rubber gloves, an arm protector and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Xiomara Alcade ("Alcade Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning Department. My equipment and protective clothing included earplugs, mesh gloves, rubber gloves, hairnet, earplugs, arm guard, arm sleeves, rubber boots, a plastic apron, knife sharpener and smock. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Digna A. Munoz ("Munoz Decl.") ¶¶ 5, 9	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, an apron, plastic gloves, hairnet, mesh gloves, arm protector, earplugs, cloth gloves, and rubber boots. I put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Gladys Solis ("Solis Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing consisted of a smock,</p>	Deboning

	<p>apron, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, plastic arm guard, rubber slip on boots, and protective sleeves. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
Declaration of Harold Mercado ("Mercado Decl.") ¶¶ 5, 9	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning department. My equipment and protective clothing included earplugs, a hairnet, gloves (cloth and rubber), steel-toed boots, and a cloth smock. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Rafael Contreras ("R. Contreras Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a plastic apron, smock, plastic gloves, mesh gloves, cloth gloves, arm protector, hairnet, beard net, earplugs, and rubber slip on steel-toed boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Deboning
Declaration of Joselyn Rivera ("J. Rivera") ¶¶ 5, 10	<p>5. Farmers Pride requires me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included cloth gloves, rubber gloves, earplugs, hairnet, plastic apron, arm protector, smock, steel toe boots, and mesh gloves. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required</p>	

	to be dressed and ready to work before the start of my shift.	
Declaration of Isidro Severino ("Severino Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cotton and plastic), slip on rubber boots, smock, hairnet, apron, and arm protector. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Ruben Rosado ("Rosado Decl.") ¶¶ 5, 12	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Packing department. My equipment and protective clothing included slip on rubber boots, cloth gloves, rubber gloves, hair net, bear net, earplugs, and a smock. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.</p>	Cut-Up/Packing
Declaration of Carmen Paniagua ("Paniagua Decl.") ¶¶ 5, 9	<p>5. Farmers Pride requires me to wear equipment and protective clothing in the Cut-up Department. Prior to late fall 2007, my equipment and protective clothing included a smock, hairnet, earplugs, cloth gloves, plastic gloves, mesh gloves, apron, arm protector, rubber slip on steel toe boots, and sleeves. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing

Declaration of Julio A. Lopez ("J. Lopez Decl.") ¶¶ 5, 12	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Cut-Up department. My equipment and protective clothing included cloth gloves, plastic gloves, a smock, apron, mesh gloves, hairnet, plastic sleeves, arm protector, earplugs, and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Edgardo Collazo ("E. Collazo Decl.") ¶¶ 6, 11	<p>6. Farmers Pride required me to wear equipment and protective clothing in the Packing department. Prior to late fall 2007, my equipment and protective clothing included a smock, white cotton gloves, earplugs, hairnet, plastic gloves, leather slip resistant boots, and sweatshirt. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Josefina M. Bulaga ("Bulaga Decl.") ¶¶ 5, 10.	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included a smock, hairnet, plastic gloves, plastic apron, steel mesh gloves, arm protector, earplugs, rubber slip-on boots, and a knife sharpener. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Gary Alan Rubendall ("G.	5. Farmers Pride requires me to wear equipment and protective clothing on the Pack line in the Cut-up department. Prior to late fall	Cut-Up/Packing

Rubendall Decl.”) ¶¶ 5, 10	<p>2007, my equipment and protective clothing included earplugs, a smock, steel-toed boots, cloth gloves, rubber gloves, a plastic apron, and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
Declaration of Frank Pressel Jr. (“Pressel Decl.”) ¶¶ 5, 11	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cloth and rubber), steel-toed boots, a plastic apron, a smock, a hard hat and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Ivonne Fabian (“Fabian Decl.”) ¶¶ 5, 12	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included a hairnet, earplugs, a smock, plastic apron, plastic gloves, metal gloves, plastic sleeves, rubber slip on boots, and an arm protector. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Digna M. Araujo (“Araujo Decl.”) ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Cut-up department. My equipment and protective clothing included a plastic apron, smock, plastic gloves, cloth gloves, earplugs, hairnet, plastic sleeves, and rubber boots. My</p>	Cut-Up/Packing

	<p>supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
Declaration of Glen J. Mittermeier ("Mittermeier Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cotton and rubber), steel-toe boots, a plastic apron, hairnet, beard net, a smock, hardhat and a sweatshirt. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Cut-Up/Packing
Declaration of Jose R. Oquendo ("Oquendo Decl.") ¶¶ 5, 9	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included a hairnet, earplugs, beard net, plastic gloves, cloth gloves, mesh gloves, an arm protector, smock, plastic apron and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Evisceration
Declaration of Cesar R. Mateo ("Mateo Decl.") ¶¶ 5, 9	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, a hairnet, smock, beard net, plastic sleeves, plastic apron, ear protector, slip on boots, mesh gloves, and knife sharpener. I put on this equipment prior to the start of my shift. My supervisors required me to put on this equipment prior to the start of my shift.</p>	Evisceration

	<p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	
<p>Declaration of Mayra C. Montalvo ("Montalvo Decl.") ¶¶ 5, 11</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic apron, earplugs, plastic gloves, cloth gloves, hairnet, arm protectors, plastic sleeves, metal gloves and slip on rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors Adelaide, Jose Luis or Romulo told me that I was required to be dressed and ready to work before the start of my shift.</p>	Eviscerations
<p>Declaration of William Lopez ("W. Lopez Decl.") ¶¶ 5, 12</p>	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included hairnet, earplugs, a smock, beard net, plastic apron, plastic gloves, cloth gloves, rubber slip on boots, mesh gloves and an arm protector. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Evisceration
<p>Declaration of Joyce Marie Rubendall ("J. Rubendall Decl.") ¶¶ 5, 11</p>	<p>5. Farmers Pride requires me to wear equipment and protective clothing in the Evisceration department. Prior to late fall 2007, my equipment and protective clothing included a smock, hairnet, plastic apron, mesh gloves, rubber gloves, ear protection, and steel-toed boots. My supervisors required me to put on this equipment prior to the start of my shift.</p>	Evisceration

	11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.	
Declaration of Diomedes A. Fernandez ("Fernandez Decl.") ¶¶ 5, 10	<p>5. Farmers Pride required me to wear equipment and protective clothing in the Live Receiving department. My equipment and protective clothing included rubber slip on boots, cloth gloves, rubber gloves, smock, apron, plastic sleeves, earplugs, hairnet and beard net. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	Live Receiving

Defendant Required And/Or Permitted All Plaintiffs To Perform the Same PPE Related Unpaid Work At The Beginning Of Their Shifts

8. Prior to late fall 2007, the time clock at Defendant was located just inside the main entrance to the plant.

9. Employees first clocked in at the time clock when they arrived at Farmers Pride. Employees occasionally clocked in after going to their locker or to the supply window if there were long lines at the time clock.

10. After clocking in by the front entrance, employees proceeded to the locker area, which was often crowded at the start and end of shifts. Employees put their personal items away in their lockers and would then take out various items they wore while working. These items included: boots, hair nets, beard nets, ear plugs, plastic gloves, plastic arm sleeves, plastic aprons and cloth gloves. Employees would don their boots and other PPE in the locker area.

11. Employees then proceeded from the locker area to a supply window where Defendant distributed PPE supplies and equipment daily. There was almost always a line to pick up equipment at the supply window. During that time period, most employees picked up their

smocks every day from the supply window. In addition, if an employee needed to replace equipment, they would pick up new equipment before the start of their shift. From the supply window, employees would obtain various items, including, for example: metal or cut-resistant gloves; a hard plastic arm protector worn on the arm opposite the hand using the knife and a cloth coat or smock.

12. Once a week, employees were required to obtain new equipment. On those days, employees would remove all of their protective clothing and equipment from their lockers and exchange it for new equipment at the supply window. The lines at the supply window were longer on those days. Employees would arrive earlier on days when they got new equipment in order to have time to gather protective equipment and clothing and be dressed and ready to work before the start of the shift.

13. After getting dressed and ready for work, employees walked to the entrance of the department and stood in line. Employees were required to line up at the entrance of their department prior to the start of their shifts. During this time, Farmers Pride supervisors and employees checked to make sure employees had their equipment on properly and that their equipment was clean. Supervisors criticized employees for having unclean equipment or damaged equipment.

14. Regardless of what order employees did the activities above, Farmers Pride required them to be dressed and ready to work before the start of their shift.

Gonzalez Decl. ¶¶ 6-11	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the supply window. At the supply window I waited in line and picked up my smock, plastic gloves, and earplugs. There was almost always a line to pick up equipment at the supply</p>	Deboning
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	<p>window.</p> <p>8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my arm protector, mesh gloves, cloth gloves, hairnet, and rubber slip on steel-toe boots. I then put on in the locker area my arm protector, smock, mesh gloves, plastic gloves, cloth gloves, hairnet, earplugs, and slip-on rubber boots.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
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<p>F. Lopez Decl. ¶¶ 6-11</p>	<p>6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my apron, hairnet, cloth and plastic gloves, and arm guard.</p> <p>8. I then carried this equipment with me to the supply window. At the supply window I picked up my smock and earplugs and exchanged my plastic gloves, cloth gloves, and hairnet. There was almost always a line to pick up equipment at the supply room.</p> <p>9. I then carried this equipment with me back to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I removed my boots. I then put on my smock, gloves (plastic and cloth), plastic apron, hairnet, earplugs, arm protector, and steel toe boots.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p>	<p>Deboning</p>
<p>Arrendondo Decl. ¶¶ 6-10</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside</p>	<p>Deboning</p>

	<p>the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would then walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, arm protector, plastic sleeves, knife sharpener, and steel-toed boots. I would then put on the steel-toed boots in the locker area.</p> <p>8. I would then walk from the locker area to a supply window. I picked up a clean smock, apron, hairnet, earplugs, and plastic gloves at the supply window. There was almost always a line to pick up equipment at the supply window. I then put on my equipment outside of the supply window.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.</p>	
Melgar Decl. ¶¶ 6-12	<p>6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, metal gloves, white cloth gloves, plastic gloves, protective glasses, earplugs, a hairnet, a plastic</p>	Deboning

	<p>apron, plastic sleeves, and steel-toe rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>7. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>8. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my metal gloves, cloth gloves, safety glasses, plastic apron, plastic sleeves and boots. I then put on my boots in the locker area.</p> <p>9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, plastic gloves, earplugs, hairnet, and exchanged any damaged equipment. There was always a line to get equipment at the supply window.</p> <p>10. I then walked to the entrance of my department where I was required to line up with my co-workers. While I waited at the entrance of my department prior to the start of my shift, I put on my smock, metal gloves, white cloth gloves, plastic gloves, protective glasses, earplugs hairnet, plastic apron, and plastic sleeves. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean and complete.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker</p>	
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	<p>area. I then carried from my locker to the supply area all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply area were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Perez Decl. ¶¶ 6-14</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my apron, arm guard, cloth gloves, plastic gloves, mesh gloves, and boots. I then put on my boots in the locker area.</p> <p>9. I then carried my equipment to a supply window. At the supply window I waited in line and picked up my smock, hairnet, and earplugs and exchanged any of my equipment if it was damaged. There was almost always a line to pick up equipment at the supply window.</p> <p>10. After getting my equipment and protective clothing from the supply window and from my locker, I walked to the time clock and clocked in.</p> <p>11. After clocking in, I walked to the cafeteria. Once at the cafeteria, I put on my smock, plastic apron, arm guard, earplugs, hairnet, plastic gloves, cloth gloves, and mesh gloves.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was</p>	<p>Deboning</p>

	<p>required to be dressed and ready to work before the start of my shift.</p> <p>13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>14. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p>	
<p>Vargas Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I removed from my locker my cloth gloves, plastic gloves, protective sleeves, and apron. Occasionally, I brought some equipment from home. I then put on my boots in the locker area.</p> <p>8. I would then carry my clothing and equipment and walk from the locker area to a supply window. I waited in line to pick up</p>	<p>Deboning</p>

	<p>some additional gear that I needed before the start of my shift. I picked up a clean smock, rubber gloves, a hairnet, and earplugs and exchanged damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>9. I then put on outside of the supply window my apron, smock, hairnet, earplugs, protective sleeves, rubber gloves, plastic gloves, and cloth gloves.</p> <p>10. Regardless of what order I did the activities above, my supervisors including Madeline and Carlos told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift.</p> <p>12. On one day out of the week, we were required to get new equipment before the start of our shift. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Urbaz Decl. ¶¶ 6-12</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I</p>	<p>Deboning</p>

would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, earplugs, arm guard, apron, hairnet, plastic gloves, mesh gloves and cloth gloves. I then put on my boots, earplugs, apron, and hairnet.

8. I would then carry my equipment and protective clothing from the locker area to a supply window. I waited in line at the supply window to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged damaged equipment such as getting new earplugs or new gloves. There was almost always a line to get equipment at the supply window.

9. I then walked towards the Deboning department. I put on my arm guard, plastic gloves, mesh gloves, cloth gloves, and smock outside of the entrance of my department.

10. After I was dressed and ready to work, I waited at the entrance of the Deboning department with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. One day out of the week, we were required to get new equipment. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker room. I then carried my arm guard, cloth gloves, plastic gloves, mesh gloves, apron, and smock to the supply room and exchanged this equipment. The lines at the supply room were longer than through

	<p>out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Tavarez Decl. ¶¶ 6-11</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, I would then walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. If I did not take this equipment home the night before, I removed this equipment from my locker. Once at my locker, I usually removed my cloth gloves, plastic gloves, boots, metal gloves, hairnet, apron and arm protector. I then put on my boots in the locker area.</p> <p>8. Prior to late fall 2007, I would then carry my equipment and protective clothing with me from my locker to a supply window. At the supply window I waited in line and picked up a clean smock, earplugs and exchanged any gear that I needed for the day such as new gloves before the start of my shift. There was almost always a line to get equipment at the supply window.</p> <p>9. I then walked towards the entrance of the Deboning department. I put on my plastic gloves, cloth gloves, metal gloves, hairnet, smock, arm protector, earplugs, and apron in the hallway outside the entrance of my department. We were required to line up at the entrance of our department with our equipment and clothing on and ready to work prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>10. Regardless of what order I did the activities</p>	<p>Deboning</p>

	<p>above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Santana Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my cloth gloves, metal gloves, arm protectors, plastic sleeves, and boots. I then put on my boots in the locker area.</p> <p>8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, apron, hairnet, earplugs, beard net, plastic gloves and exchanged any damaged equipment. There was always a line to get equipment at the supply window.</p> <p>9. I would then return to my locker and put on my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, beard net, hairnet, earplugs, arm protectors, and plastic sleeves.</p> <p>10. Regardless of what order I did the activities</p>	<p>Deboning</p>

	<p>above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Romero Decl. ¶¶ 6-13</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, rubber gloves, mesh gloves, boots, arm protector, hairnet and earplugs. I then put on my boots in the locker area.</p> <p>9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the</p>	<p>Deboning</p>

	<p>start of my shift. I picked up a clean smock and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>10. I then walked back to my locker and put on my smock, plastic apron, rubber gloves, mesh gloves, arm protector, hairnet, and earplugs.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we were present.</p> <p>13. One day out of the week, we were required to get new equipment. As such, once a week, I put on my boots in the locker area. I then carried my rubber gloves, mesh gloves, earplugs, hair net, plastic apron, arm guard to the supply window and exchanged all of my equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
S. Rodriguez Decl. ¶¶ 6-11	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had</p>	Deboning

	<p>to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic gloves, arm protector, and plastic apron. I then put on my boots in the locker area.</p> <p>8. I then carried this equipment with me to a supply window. I was required to wait in line and to pick up cloth gloves, a cloth smock, a hairnet, and earplugs and to exchange any damaged equipment such as plastic gloves. There was almost always a line to get equipment at the supply window.</p> <p>9. I then walked back to the locker area. I then put on at my locker my plastic gloves, cloth gloves, mesh gloves, arm protector, plastic apron, smock, hairnet, and earplugs.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p>	
J. Rodriguez Decl. ¶¶ 6-11	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my hairnet, rubber slip on boots, plastic apron, cloth gloves, and arm protector. I then put on my boots in the locker area.</p>	Deboning

	<p>8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, rubber gloves, plastic gloves, earplugs and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>9. I then walked back to my locker and put on my smock, rubber gloves, cloth gloves, hairnet, earplugs, plastic apron and arm protector.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Patino Decl. ¶¶ 6-11</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my cloth gloves, plastic apron, plastic sleeves, and mesh gloves.</p>	<p>Deboning</p>

	<p>8. Then I went to a supply window. At the supply window I picked up my plastic gloves, earplugs, hairnet, a smock and exchanged any damaged equipment such as the plastic sleeves. There was almost always a line to pick up equipment at the supply room.</p> <p>9. I then carried this equipment with me to my locker. Once at my locker, I put on my boots, cloth gloves, plastic apron, plastic sleeves, mesh gloves, plastic gloves, earplugs, hairnet, and smock.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
J. Hernandez Decl. ¶¶ 6-11	6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.	Deboning

	<p>7. After clocking in, I then went to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my slip on boots, arm protector, and mesh gloves, cloth gloves, and plastic apron. I then put on my slip on boots.</p> <p>8. I would then carry my protective clothing and equipment and walk from the locker area to a supply window. At the supply window I waited in line and picked up my cloth apron, hairnet, earplugs, and exchanged any damaged equipment from my locker that I needed before the start of my shift such as my plastic gloves. There was almost always a line to pick up equipment at the supply room.</p> <p>9. I then carried this equipment with me back to the locker area. I then put on at my locker the plastic apron, cloth smock, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, and arm protector.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
H. Hernandez Decl. ¶¶ 6-11	6. Prior to late fall 2007, the time clock at Farmers Pride was just inside the main entrance	Deboning

	<p>to the plant. When I arrived at Farmers Pride I would almost always first clock in at the time clock. I would occasionally go to my locker first if there was a line at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would walk to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, rubber gloves, cloth gloves, plastic apron, hairnet, arm protector, and rubber slip on boots. I then put on my boots.</p> <p>8. After the locker area, I would go to a supply window to get a new smock, earplugs, and to exchange any damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.</p> <p>9. I then walked from the supply window to the cafeteria. I put on in the cafeteria my cloth gloves, rubber gloves, mesh gloves, earplugs, arm protector, hairnet, cloth smock, and plastic apron.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Cuevas Decl.		Deboning

¶ 6-13	<p>6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, cloth apron, hairnet, cotton gloves, rubber gloves, mesh gloves, plastic sleeves, earplugs, arm protector, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.</p> <p>7. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>8. After clocking in, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my arm protector, plastic sleeves, apron, mesh gloves, cotton gloves, and rubber boots that Farmers Pride required me to wear. I then put on my boots in the locker area.</p> <p>9. After the locker area, I carried my clothing and protective equipment to a supply window. I would go to a supply window to get a new smock, rubber gloves, hairnet, earplugs, and to exchange any damaged equipment from my locker. There would always be a line to pick up my new equipment.</p> <p>10. I would then go to the cafeteria where I would put on my smock, rubber gloves, hairnet, earplugs, mesh gloves, cloth gloves, plastic apron, and arm protector. I also put on any clothing and equipment that I exchanged at the supply window.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window</p>	
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	<p>were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>12. Regardless of the order that I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.</p> <p>13. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p>	
<p>A. Contreras Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, cloth gloves, plastic apron, arm protector, and boots. I then put on my boots in the locker area.</p> <p>8. I would then carry my clothing and equipment and walk from the locker room to a supply window. I would get a new cloth smock, plastic gloves, earplugs, and hairnet and would exchange any damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.</p> <p>9. I then put on outside of the supply window my cloth smock, plastic gloves, earplugs, hairnet, mesh gloves, cloth gloves, plastic</p>	<p>Deboning</p>

	<p>apron, and arm protector.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.</p>	
<p>Cerda Decl. ¶¶ 6-11</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out</p>	<p>Deboning</p>

	<p>the rubber gloves, earplugs, plastic apron, hairnet, cloth gloves, mesh gloves, plastic sleeves, and rubber boots that Farmers Pride required me to wear. I then put on my rubber boots.</p> <p>8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.</p> <p>9. I then walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, I put on my smock, plastic apron, hairnet, rubber gloves, cloth gloves, mesh gloves, plastic sleeves, and earplugs. In addition, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Pagan Decl.	6. When I worked at Farmers Pride, the time	Deboning

¶¶ 6-12	<p>clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my rubber boots, mesh gloves, rubber gloves, hairnet, earplugs, plastic apron and smock. I then put on in the locker area my rubber boots, mesh glove, rubber gloves, hairnet, earplugs, plastic apron and smock</p> <p>9. I would almost always then walk from my locker to the supply window. At the supply window I waited in line and exchanged any damaged equipment that I was required to put on before the start of my shift such as new gloves, earplugs, and a clean smock. There was almost always a line to get equipment at the supply window.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried my rubber gloves, mesh glove, plastic apron, hairnet, earplugs and smock to the supply window and exchanged all</p>	
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	<p>of my equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Cid Decl. ¶¶ 6-12	<p>6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the earplugs, plastic apron, steel toe boots, cloth gloves, arm protector, rubber gloves and hairnet that Farmers Pride required me to wear. I put on my boots.</p> <p>8. I then walked from the locker area to a supply window. At the supply window, I waited in line and exchanged damaged equipment and got new equipment, such as new gloves, hairnet or earplugs that I was required to put on before the start of my shift. I also picked up a clean smock. There was almost always a line to pick up equipment at the supply window.</p> <p>9. I then put on outside of the supply window my ear plugs, plastic apron, smock, rubber gloves, cloth gloves, arm protector and hairnet.</p> <p>10. I then walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. In addition, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was</p>	Deboning

	<p>required to be dressed and ready to work before the start of my shift.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Alcade Decl. ¶¶ 6-11</p>	<p>6. During my time at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After I clocked in, I walked to my locker. The locker area was always crowded. It was common that I had to wait to get to my locker. Once at my locker I removed my plastic apron, earplugs, rubber gloves, mesh gloves, hairnet, earplugs, arm guard, arm sleeves, knife sharpener and boots. I would then put on this equipment in the locker area.</p> <p>8. After doing that, I would go to a supply window to pick up a clean cloth smock. If my equipment was damaged I would also pick up new equipment that I needed before the start of my shift such as gloves, a hairnet or ear plugs. There was always a line to get equipment at the supply window. I then put on the smock and additional equipment outside of the supply window.</p> <p>9. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of</p>	<p>Deboning</p>

	<p>our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, my supervisor told me that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Munoz Decl. ¶¶ 6-11	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my smock, plastic gloves, and earplugs. There was almost always a line to pick up equipment at the supply window.</p> <p>8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber boots, mesh gloves, cloth gloves, hairnet, arm protector, sleeves and apron. I then put on in the locker area my smock, apron, plastic</p>	Deboning

	<p>gloves, hairnet, mesh gloves, arm protector, earplugs, cloth gloves, and rubber boots.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Solis Decl. ¶¶ 6-12	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic arm guard, boots, apron, protective sleeves, plastic gloves, and cloth gloves. I then put on my boots in the locker area.</p> <p>8. I would then walk from the locker area to a</p>	Deboning

	<p>supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, earplugs, and hairnet and exchanged damaged equipment such as getting new apron, cloth and plastic gloves. There was almost always a line to get equipment at the supply window.</p> <p>9. I then put on outside of the supply window my smock, apron, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, plastic arm guard, and protective sleeves.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Mercado Decl. ¶¶ 6-11	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After I clocked in, I would then walk from the</p>	Deboning

	<p>time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber gloves, cloth gloves, earplugs, hairnet, and steel-toed boots. I then put on my boots in the locker room.</p> <p>8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged any damaged equipment from my locker. There was almost always a line to get equipment at the supply window.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.</p>	
R. Contreras ¶¶ 6-12	6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.	Deboning

7. After clocking in, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, smock, mesh gloves, cloth gloves, arm protector, and boots. I then put on my boots.

8. I then carried this equipment with me to a supply window. At the supply window I picked up my plastic gloves, hairnet, earplugs and exchanged any damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.

9. I then walked to the cafeteria. I then put on my plastic apron, smock, plastic gloves, mesh gloves, cloth gloves, arm protector, hairnet, beard net, earplugs,

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told

	that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.	
J. Rivera Decl. ¶¶ 6-12	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I put on my boots at my locker. I also removed my apron, smock, cloth gloves, mesh gloves, hairnet, and arm protector.</p> <p>8. I then walked from the locker area to a supply window. At the supply window I waited in line and picked up earplugs, rubber gloves and exchanged any damaged equipment. There was almost always a line to pick up equipment at the supply room.</p> <p>9. I then went to the bathroom where I put on my smock, hairnet, earplugs, apron, cloth gloves, rubber gloves, arm guard, and mesh gloves.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	Deboning

	<p>12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p>	
<p>Severino Decl. ¶¶ 6-12</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after I clocked in, I would then walk from the time clock to my locker. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my earplugs, gloves (cotton and plastic), slip on rubber boots, hairnet, apron, and arm protector. I then put on my boots in the locker area.</p> <p>8. I would then walk from the locker area to a supply window. I waited in line to exchange my gear that I needed before the start of my shift. I picked up a clean smock. I exchanged earplugs, cotton gloves, plastic gloves, hairnet, apron, and arm protector. There was almost always a line to get equipment at the supply window.</p> <p>9. Then I returned to the locker area. I then put on my earplugs, gloves (cotton and plastic), smock, hairnet, apron, and arm protector.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up and wait at the</p>	<p>Cut-Up/Packing</p>

	<p>entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. I exchanged my equipment everyday.</p>	
<p>Rosado Decl. ¶¶ 6-13</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my slip on rubber boots. I would then put on my boots in the locker area.</p> <p>9. I would then walk from the locker area to a supply window. At the supply window, I waited in line and picked up a clean smock, cloth gloves, rubber gloves, hair net, beard net, and earplugs. There was almost always a line to pick up equipment at the supply window.</p> <p>10. I then put on outside of the supply window my cloth gloves, rubber gloves, hairnet, beard net, earplugs and smock.</p> <p>11. When I worked at Farmers Pride the time clock was just inside the main entrance to the plant. After I was dressed and ready to work I walked back to the time clock and clocked in.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.</p> <p>13. After I was dressed and ready to work, I walked to the entrance of the Packing department and waited with my co-workers. We were required to line up at the entrance of</p>	Cut-Up/Packing

	<p>our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion my smock would break while I was waiting in line. I would be required to return to the supply window and exchange my smock prior to going into my department.</p>	
<p>Paniagua Decl. ¶¶ 6-11</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to a supply window. I waited in line to pick up my cloth smock, plastic gloves, hairnet, earplugs, plastic apron, and plastic sleeves. There was almost always a line to get equipment at the supply window.</p> <p>8. I then carried this equipment from the supply window to my locker in the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I also removed from my locker my arm protector, mesh gloves and cloth gloves. I then put on in the locker area my smock, mesh gloves, cloth gloves, arm protector, apron, sleeves, and boots.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Cut-up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our</p>	<p>Cut-Up/Packing</p>

	<p>equipment on properly and that our equipment was clean.</p> <p>11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>J. Lopez Decl. ¶¶ 6-14</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. I would walk to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, cloth gloves, mesh gloves, plastic sleeves, apron, plastic gloves, hairnet, arm protector, and earplugs. I then put on my boots.</p> <p>9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged damaged equipment every day such as getting a new earplugs, or new gloves. There was almost always a line to get equipment at the supply window.</p> <p>10. I then walked to the time clock and clocked in.</p> <p>11. I then walked to the cafeteria. I then put on</p>	<p>Cut-Up/Packing</p>

	<p>my cloth gloves, plastic gloves, a smock, apron, mesh gloves, hairnet, plastic sleeves, arm protector, and earplugs.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>13. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisor Wanda and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>14. One day out of the week, we were required to get new equipment. As such, once a week, I put on my boots in the locker area. I then carried my cloth gloves, mesh gloves, plastic gloves, earplugs, hair net, arm protector, plastic sleeves, and apron to the supply window and exchanged all of my equipment. The lines at the supply window were longer than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>E. Collazo Decl. ¶¶ 7-13</p>	<p>7. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>8. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, sweater, earplugs, hairnet, plastic gloves, and cloth gloves. I then put on my boots in the locker area.</p>	Cut-Up/Packing

	<p>9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged my plastic gloves and any damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>10. I then walked to the locker area and put on my sweater, smock, plastic gloves, earplugs, sweater, hairnet, and cloth gloves.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. On one day out of the week, we were required to get new equipment before the start of our shift. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>13. After I was dressed and ready to work, I walked to the entrance of the Packing department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean and complete.</p>	
Bulaga Decl.	6. When I worked at Farmers Pride, the time	Cut-Up/Packing

¶¶ 6-12	<p>clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. Once at my locker I took out my hairnet, mesh gloves, plastic apron, arm protector, rubber slip-on boots, and a knife sharpener. I put on my boots.</p> <p>8. I then walked from the locker area to a supply window. At the supply window I waited in line and picked up a clean smock, earplugs, plastic gloves and exchanged any gear that I needed in order to be dressed and ready to work before the start of my shift. There was almost always a line to get equipment at the supply window.</p> <p>9. I then put on outside of the supply window my smock, hairnet, plastic gloves, plastic apron, steel mesh gloves, arm protector, earplugs, and knife sharpener.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this</p>	
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	<p>equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>G. Rubendall Decl. ¶¶ 6-12</p>	<p>6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the earplugs, steel-toe boots, cloth gloves, rubber gloves, plastic apron, and hairnet that Farmers Pride required me to wear. I then put on my boots.</p> <p>8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.</p> <p>9. After the supply window, I put on outside of the supply window my earplugs, steel-toe boots, cloth gloves, rubber gloves, plastic apron, smock and hairnet before the start of my shift.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Cut-up department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride</p>	<p>Cut-Up/Packing</p>

	<p>supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Pressel Decl. ¶¶ 6-13</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed from my locker my boots, cloth gloves, rubber gloves, plastic apron, hardhat, hairnet and ear plugs. I then put on my boots at the locker.</p> <p>9. I would then walk from my locker to the time clock and clock in.</p> <p>10. After clocking in, I walked from the time clock to the supply window. At the supply window I waited in line and picked up a clean smock and exchanged any new gear that I in order to be dressed and ready to work before the start of my shift. There was almost always a line to get equipment at the supply window. I then put on outside of the supply window the cloth gloves, rubber gloves, plastic apron,</p>	<p>Cut-Up/Packing</p>

	<p>smock, hardhat, hairnet and ear plugs.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried my cloth gloves, rubber gloves, plastic apron, hardhat, hairnet and earplugs to the supply room and exchanged all of my equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Fabian Decl. ¶¶ 6-14</p>	<p>6. When I worked at Farmers Pride, the time clock was near the entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first go to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was crowded. It was common that I had to wait to get to my locker. Once at my locker I removed any damaged equipment that I needed to exchange prior to the start of my shift. I almost always removed my plastic gloves.</p>	<p>Cut-Up/Packing</p>

9. I then walked from my locker to a supply window. At the supply window I waited in line and picked up my smock and earplugs. I also exchanged damaged equipment from my locker such as new plastic gloves. There was almost always a line to pick up equipment at the supply window.

10. Next, I would walk to the time clock and clock in.

11. After clocking in, I would walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, metal gloves, plastic sleeves, hairnet, rubber slip on boots, and an arm protector. I then put on in the locker area my hairnet, earplugs, a smock, plastic apron, plastic gloves, metal gloves, plastic sleeves, rubber slip on boots, and an arm protector

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. After I was dressed and ready to work, I walked near the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.

14. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window

	<p>were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Araujo Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, plastic sleeves, cloth gloves, and rubber boots. I then put on in the locker area my rubber boots.</p> <p>8. I would then walk from the locker area to a supply window. I waited in line at the supply window to pick up some additional gear that I needed before the start of my shift including a smock, earplugs, plastic gloves, and a hairnet. I also exchanged damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>9. I then put on outside of the supply window my plastic apron, smock, plastic gloves, cloth gloves, earplugs, hairnet, and plastic sleeves.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked near the entrance of the Cut-up department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure</p>	<p>Cut-Up/Packing</p>

	<p>we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Mittermeier Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I walked from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber gloves, cotton gloves, earplugs, hair net, hardhat, beard net, plastic apron, sweatshirt and steel-toe boots. I then put on my boots in the locker room.</p> <p>8. I then walked from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.</p> <p>9. I then walked back to my locker and put on my smock, hardhat, plastic apron, sweatshirt, rubber gloves, cotton gloves, earplugs, hair net, and beard net.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p>	<p>Cut-Up/Packing</p>

	<p>11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried my rubber gloves, cotton gloves, earplugs, hair net, hardhat, beard net, and plastic apron to the supply room and exchanged all of my equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Oquendo Decl. ¶¶ 6-11</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my hairnet, earplugs, beard net, plastic gloves, cloth gloves, plastic apron and smock. There was almost always a line to pick up equipment at the supply room.</p> <p>8. I then carried this equipment with me to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, mesh gloves, and arm protector. I then put on in the locker area my hairnet, earplugs, beard net, plastic gloves, cloth gloves, mesh gloves, an arm protector, smock, plastic apron and steel toe boots.</p>	Evisceration

	<p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
Mateo Decl. ¶¶ 6-12	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my hairnet, smock, beard net, plastic sleeves, and ear protector. If my plastic gloves were broken I would get new ones. There was almost always a line to pick up equipment at the supply window.</p> <p>8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to</p>	Evisceration

	<p>wait to get to my locker. Once at my locker I took out my mesh gloves, knife sharpener, plastic apron, plastic gloves, and boots. I then put on in the locker area my plastic gloves, a hairnet, smock, beard net, plastic sleeves, plastic apron, ear protector, slip on boots, mesh gloves, and knife sharpener.</p> <p>9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>10. After I was dressed and ready to work, I walked to a break room near the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>11. I then walked to my workstation in the Evisceration Department.</p> <p>12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried my mesh gloves, plastic gloves, and plastic apron to the supply window to exchange for new equipment. There I also got my new daily equipment such as my hairnet, smock, beard net, plastic sleeves, ear protector. The lines at the supply room were longer than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Montalvo Decl. ¶¶ 6-12</p>	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. After clocking in, I would then walk from</p>	Eviscerations

	<p>the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh/metal glove, cloth gloves, plastic apron, arm protector, plastic sleeves, hairnet, plastic gloves, and boots. I put on my boots in the locker room.</p> <p>8. I would then walk from the time clock to a supply window. At the supply room I picked up my smock, earplugs, and exchanged my plastic gloves. There was almost always a line to pick up equipment at the supply room.</p> <p>9. I then carried this equipment with me back to my locker. I then put on in the locker area my smock, plastic apron, earplugs, plastic gloves, cloth gloves, hairnet, arm protectors, plastic sleeves, and metal glove.</p> <p>10. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply area were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors Adelaide, Jose Luis or Romulo told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride</p>	
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	supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.	
W. Lopez Decl. ¶¶ 6-14	<p>6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.</p> <p>7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.</p> <p>8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic gloves, cloth gloves, hairnet, beard net, plastic apron, and arm protector.</p> <p>9. I then carried this equipment with me to a supply window. At the supply window I waited in line and picked up my smock and earplugs. I would also exchange damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.</p> <p>10. I then carried this equipment with me back to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I then put on at my locker my hairnet, earplugs, smock, beard net, plastic apron, plastic gloves, cloth gloves, rubber slip on boots, mesh gloves and an arm protector.</p> <p>11. After I had on all of my protective clothing and equipment and was ready to work, I would clock in by the entrance of the plant.</p> <p>12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>13. After I was dressed and ready to work and had clocked in, I walked near the entrance of the Evisceration department and waited with</p>	Evisceration

	<p>my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>14. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
J. Rubendall Decl. ¶¶ 6-13	<p>6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the hairnet, plastic apron, rubber gloves, ear protection and steel toe boots that Farmers Pride required me to wear. I would then put on my boots.</p> <p>8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.</p> <p>9. I picked up mesh gloves at my workstation.</p> <p>10. After the supply window, I put on outside</p>	Evisceration

	<p>of the supply window my hairnet, plastic apron, rubber gloves, ear protection and steel toe boots before the start of my shift.</p> <p>11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>12. After I was dressed and ready to work, I walked to the entrance of the Evisceration department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.</p>	
<p>Fernandez Decl. ¶¶ 6-12</p>	<p>6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.</p> <p>7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber slip on boots, apron, cloth gloves,</p>	<p>Live Receiving</p>

	<p>and plastic sleeves. I also removed from my locker my rubber gloves, earplugs, hairnet, and beard net so I could exchange this equipment at the supply window. I then put my boots on in the locker room.</p> <p>8. I would then carry my equipment and protective clothing from my locker to a supply window. At the supply window, I waited in line to pick up some additional gear that I needed before the start of my shift including a smock. I also exchanged equipment and picked up a new set of rubber gloves, earplugs, hairnet, and beard net. There was almost always a line to get equipment at the supply window.</p> <p>9. I then put on outside of the supply window my cloth gloves, rubber gloves, smock, apron, plastic sleeves, earplugs, hairnet and beard net.</p> <p>10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.</p> <p>11. After I was dressed and ready to work, I walked to the entrance of the Live Receiving department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.</p> <p>12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective</p>	
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	clothing and equipment and be dressed and ready to work before the start of my shift.	
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Defendant Required And/Or Permitted All Plaintiffs To Perform the Same PPE Related Unpaid Work During Their Unpaid Half Hour Lunch Breaks

15. Plaintiffs were told when they were first hired at Farmers Pride, that they would receive a 30-minute, unpaid meal period. The 30-minute meal period began running as soon as the production line stopped.

16. Plaintiffs were required to be back at their workstations, fully dressed when the 30 minutes expired.

17. The line stopped for no more than 30 minutes each day.

18. Plaintiffs were not completely relieved of all duty for the full 30-minute meal break each day.

19. Plaintiffs were not permitted, pursuant to Defendant's policy, to go to the lunchroom or restroom with their PPE on.

20. At the start of the 30-minute meal period, Plaintiffs were required to take off PPE such as mesh gloves, rubber gloves, arm guards, smocks, plastic aprons and wash and dry them at department sinks.

21. There was often a line at the wash station where employees had to wash their PPE.

22. After washing their PPE, Plaintiffs had to find a hook or other location on which to hang it.

23. Plaintiffs also had to clean their boots.

24. Plaintiffs were then required to sterilize their hands, retrieve their PPE, don their PPE, and walk back to their workstations within the 30-minute meal period.

25. If Plaintiffs were late getting back to the line after lunch, they were reprimanded or disciplined by their supervisor.

Gonzalez Decl. ¶¶ 17-19	17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute,	Deboning
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	<p>unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a bell would sound and the line would stop for exactly 30 minutes while hourly production and support employees took a meal period.</p> <p>18. At the start of my 30-minute meal period I was required to take off my arm protector, plastic gloves, cloth gloves, mesh gloves, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm protector, mesh gloves, plastic gloves, cloth gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
<p>F. Lopez Decl. ¶¶ 15-17</p>	<p>15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would yell "break" and the line stopped while hourly support and production employees had a 30-minute meal period.</p> <p>16. At the start of my 30-minute meal period I was required to take off my arm protector, plastic and cloth gloves and apron and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, arm protector, gloves and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p>	Deboning

	<p>17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
<p>Arrendondo Decl. ¶¶ 14-16</p>	<p>14. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for 30 minutes while the hourly support and production employees took a meal period.</p> <p>15. At the start of my 30-minute meal period I was required to take off my arm protector, sleeves, mesh gloves, plastic gloves, apron, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm protector, sleeves, mesh gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>16. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	<p>Deboning</p>
<p>Melgar Decl. ¶¶ 17-19</p>	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly production and support</p>	<p>Deboning</p>

	<p>employees took a meal break.</p> <p>18. At the start of my 30-minute meal period I was required to take off my cloth gloves, metal gloves, plastic gloves, protective glasses, plastic apron, smock and plastic sleeves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang this equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I retrieved my equipment and returned to my department. I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
<p>Perez Decl. ¶¶ 20-22</p>	<p>20. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>21. At the start of my 30-minute meal period I was required to take off my apron, cloth gloves, plastic gloves, mesh gloves and arm guard and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, arm guard, and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>22. After eating lunch, I was required to</p>	<p>Deboning</p>

	sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.	
Vargas Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would announce the break and the line would stop for exactly 30-minutes while hourly support and production employees had a meal period.</p> <p>17. At the start of my 30-minute meal period I was required to take off my protective sleeves, rubber gloves, cloth gloves, plastic gloves, apron, and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my protective sleeves, rubber gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble. On one occasion, I received a verbal warning for returning from lunch a couple of minutes after 30 minutes.</p>	Deboning
Urbaez Decl. ¶¶ 18-20	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the chickens stopped coming and the line</p>	Deboning

	<p>would stop for exactly 30-minutes while hourly support and production employees had a meal period.</p> <p>19. At the start of my 30-minute meal period I was required to take off my arm guard, cloth gloves, plastic gloves, metal gloves, apron, and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm guard, cloth gloves, metal gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period.</p>	
Tavarez Decl. ¶¶ 15-17	<p>15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor yelled "break" and the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.</p> <p>16. At the start of the 30-minute meal break, I was required to take off my cloth gloves, plastic gloves, metal gloves, arm protector, smock and apron and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, smock, and gloves (metal, cloth, and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room</p>	Deboning

	<p>with my equipment on.</p> <p>17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
Santana Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal break.</p> <p>17. At the start of my 30-minute meal period I was required to take off my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, arm protectors and plastic sleeves and cleaned this equipment. I was also required to wash my boots. There was always a line at the sink to wash equipment. I then had to find a hook to hang my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, plastic sleeves and arm protectors. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	Deboning
Romero Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes.</p>	Deboning

	<p>I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>18. At the start of my 30-minute meal period I was required to take off my rubber gloves, mesh gloves, smock , plastic apron, and arm guard and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my rubber gloves, mesh gloves, smock , plastic apron, and arm guard. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
S. Rodriguez Decl. ¶¶ 15-17	<p>15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a bell would sound and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>16. At the start of my 30-minute meal period I was required to take off my cloth smock, plastic apron, cloth gloves, plastic gloves, mesh gloves, ear protector and arm protector and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron and smock. I then walked to the locker area where I stowed in my locker my cloth gloves, plastic gloves, mesh gloves, ear protector, and arm</p>	Deboning

	<p>protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
J. Rodriguez Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>17. At the start of my 30-minute meal period I was required to take off my smock, cloth gloves, rubber gloves, plastic apron, and arm protector and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock. I then walked to my locker to put away my cloth gloves, rubber gloves, plastic apron, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I retrieved my equipment from my locker and returned to my department. I was required to sterilize my hands, retrieve my smock, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	Deboning
Patino Decl. ¶¶	17. When I was first hired at Farmers Pride, I	Deboning

17-19	<p>was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>18. At the start of my 30-minute meal period I was required to take off my apron, smock, cloth gloves, plastic gloves, mesh gloves and plastic sleeves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, plastic sleeves, apron and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
J. Hernandez Decl. ¶¶ 18-20	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would yell "break" and the line would stop moving for 30 minutes while the hourly support and production employees took a meal break.</p> <p>19. At the start of my 30-minute meal period I was required to take off my arm protector, plastic gloves, mesh gloves, apron and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I also removed</p>	Deboning

	<p>my cloth gloves. I then had to find a hook to hang my arm protector, plastic gloves, mesh gloves, cloth gloves, apron and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor Nelson Gonzalez would give me a written warning.</p>	
E. Hernandez Decl. ¶¶ 19-21	<p>19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while hourly support and production employees took a meal period.</p> <p>20. At the start of my 30-minute meal period I was required to take off my arm protector, plastic apron, cloth gloves, rubber gloves, mesh gloves, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my arm protector and gloves at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>21. After eating lunch, I was required to wash my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	Deboning
Cuevas Decl. ¶¶ 19-21	<p>19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute,</p>	Deboning

	<p>unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would announce break and the line stopped for exactly 30 minutes while hourly support and production employees took a meal period.</p> <p>20. At the start of my 30-minute meal period I was required to take off my arm protector, apron, sleeves, mesh gloves, cloth gloves, rubber gloves and cloth smock. I then had to find a hook to hang my equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>21. After eating lunch, I was required to sterilize my hands, retrieve and wash my arm protector, apron, sleeves, mesh gloves, cloth gloves, rubber gloves and cloth smock. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
A. Contreras Decl. ¶¶ 18-20	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a bell would ring and the line would stop for exactly 30 minutes while hourly support and production employees took a meal period.</p> <p>19. At the start of my 30-minute meal period I was required to take off my arm protector, plastic apron, cloth gloves, mesh gloves, plastic gloves, and cloth smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my</p>	Deboning

	<p>arm protector, cloth gloves, mesh gloves, and plastic gloves at my workstation. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
<p>Cerda Decl. ¶¶ 15-17</p>	<p>15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would yell "break" and the line would stop for 30 minutes while hourly support and production employees took a meal period.</p> <p>16. At the start of my 30-minute meal period I was required to take off my plastic sleeves, mesh gloves, rubber gloves, cloth gloves and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock and plastic apron. I left my plastic sleeves, mesh gloves, rubber gloves, and cloth gloves at my workstation. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	<p>Deboning</p>
<p>Pagan Decl. ¶¶ 16-18</p>	<p>16. When I was first hired at Farmers Pride, I</p>	<p>Deboning</p>

	<p>was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute period.</p> <p>17. At the start of the 30-minute meal period, I was required to take off and wash my mesh glove, rubber gloves, smock and plastic apron. I then had to find a hook to hang my plastic apron, mesh glove, rubber gloves, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
Cid Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line stopped for exactly 30 minutes while support and production employees took a meal break.</p> <p>18. At the start of my 30-minute meal break I was required to take off my plastic apron, smock, arm protector, rubber gloves, cloth gloves and wash this equipment. I was also required to wash my boots. I also removed my cloth gloves. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p>	Deboning

	<p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly 30 minutes after I left my workstation for my 30-minute meal break or I would get in trouble. In fact, I was written up for arriving back to my station a couple of minutes after the 30-minute time frame had expired.</p>	
<p>Alcade Decl. ¶¶ 15-17</p>	<p>15. When I was first hired at Farmer's Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because the line stopped for exactly 30 minutes while hourly support and production employees took a meal break.</p> <p>16. At the start of my 30-minute meal break I was required to take off mesh gloves, rubber gloves, arm guards, smock and plastic apron and to find a hook to hang my equipment. I was also required to clean my boots. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>17. After eating lunch, I was required retrieve my equipment and to wash my plastic apron, the smock, mesh gloves, rubber gloves, and arm guard. There was often a line at the wash station where I washed my equipment. I was required to wash my equipment and put my equipment back on and walk back to my workstation exactly 30 minutes after leaving my workstation for my 30-minute meal break or my supervisor would speak with me about returning late from lunch late.</p>	Deboning
<p>Munoz Decl. ¶¶ 18-20</p>	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly</p>	Deboning

	<p>production and support employees took a 30-minute break.</p> <p>19. At the start of the 30-minute meal break I was required to take off my apron, plastic gloves, cloth gloves, mesh gloves, smock and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron, plastic glove, cloth gloves, mesh gloves, smock and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
Solis Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would announce the break and the line would stop for exactly 30-minutes while hourly support and production employees had a meal period.</p> <p>17. At the start of my 30-minute meal period I was required to take off my cloth gloves, plastic gloves, protective sleeves, mesh gloves, plastic arm protector, and apron, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, plastic arm protector, sleeve protectors, and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my</p>	Deboning

	equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.	
Mercado Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for 30 minutes while the hourly production and support employees took a 30-minute break.</p> <p>17. At the start of the 30-minute meal period I was required to take off my cloth gloves, rubber gloves and smock and clean this equipment. There was always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	Deboning
R. Contreras Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would yell "break" and the line would stop for exactly 30 minutes while hourly support and production employees took a meal break.</p> <p>18. At the start of my 30-minute meal period I was required to take off my arm protector, plastic apron, cloth gloves, plastic gloves, mesh gloves and cloth smock and wash this</p>	Deboning

	<p>equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm protector, apron, cloth gloves, mesh gloves, plastic gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
J. Rivera Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.</p> <p>17. At the start of my 30-minute meal period I was required to take off my apron, smock, cloth gloves, rubber gloves, mesh gloves, and arm protector and to wash this equipment. I was also required to wash my boots. There was always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my cloth gloves, rubber gloves, mesh gloves, arm guard at a table at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	Deboning
Severino Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute,</p>	Cut-Up/Packing

	<p>unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal period.</p> <p>17. At the start of my 30-minute meal period I was required to take off my gloves (cotton and plastic), smock, apron, and arm protector and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my gloves (cotton and plastic), smock, apron, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
Rosado Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor Nelson would yell "break" and the line stopped for exactly 30 minutes while support and production employees took a meal period.</p> <p>18. At the start of my 30-minute meal period I was required to take off my cloth gloves, rubber gloves and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves and smock. I then walked to the lunchroom. I</p>	Cut-Up/Packing

	<p>was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after I left my workstation for my 30-minute meal period or my supervisor would yell at me because the chickens would start to pile up.</p>	
<p>Paniagua Decl. ¶¶ 15-17</p>	<p>15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor made an announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.</p> <p>16. At the start of the 30-minute meal break I was required to take off my smock, cloth gloves, mesh gloves, apron, and sleeves and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang this equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	Cut-Up/Packing
<p>J. Lopez Decl. ¶¶ 18-20</p>	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while</p>	Cut-Up/Packing

	<p>the hourly production and support employees took a 30-minute break.</p> <p>19. At the start of the 30-minute meal break I was required to take off my smock, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protector and washed this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protectors. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
<p>E. Collazo Decl. ¶¶ 18-20</p>	<p>18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal break because the line would stop for 30 minutes while the hourly production and support employees took a meal period.</p> <p>19. At the start of my 30-minute meal period I was required to take off my smock, cloth gloves, and plastic gloves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock. I then walked to my locker and stowed my cloth gloves and plastic gloves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p>	<p>Cut-Up/Packing</p>

	<p>20. After eating lunch, I retrieved my equipment at my locker and returned to my department. I was required to sterilize my hands, retrieve my smock, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	
<p>Bulaga Decl. ¶¶ 17-19</p>	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a supervisor would announce "lunch" and the line would stop for exactly 30-minutes while hourly production and support employees had a meal period.</p> <p>18. At the start of my 30-minute meal period I was required to take off my plastic gloves, mesh gloves, plastic apron, smock and arm protector, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock and apron. I left my arm protector and gloves at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	<p>Cut-Up/Packing</p>
<p>G. Rubendall Decl. ¶¶ 16-18</p>	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes.</p>	<p>Cut-Up/Packing</p>

	<p>I knew it was time for a meal period because my supervisor would make an announcement and the chickens stopped coming for exactly 30 minutes while support and production employees took a meal period.</p> <p>17. At the start of my 30-minute meal period I was required to take off and clean my cloth gloves, rubber gloves, smock and plastic apron. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my gloves, smock and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after I left my workstation for my 30-minute meal period or my supervisor would yell at me for returning late.</p>	
Pressel Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.</p> <p>18. At the start of the 30-minute meal break, I was required to take off my plastic apron, smock, hardhat and gloves (cloth and rubber) and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, smock, hardhat and gloves (cloth and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p>	Cut-Up/Packing

	<p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
<p>Fabian Decl. ¶¶ 19-21</p>	<p>19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line would stop for exactly 30 minutes.</p> <p>20. At the start of the 30-minute meal break I was required to take off my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>21. After eating lunch, I retrieved my equipment, put my equipment back on and walked back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble. As we entered the department there was a supervisor making sure we were all clean.</p>	<p>Cut-Up/Packing</p>
<p>Araujo Decl. ¶¶ 17-19</p>	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while</p>	<p>Cut-Up/Packing</p>

	<p>the hourly production and support employees took a 30-minute period.</p> <p>18. At the start of my 30-minute meal period I was required to take off my plastic apron, plastic gloves, cloth gloves and plastic sleeves, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, plastic sleeves, rubber gloves, and cloth gloves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
<p>Mittermeier Decl. ¶¶ 16-18</p>	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal break.</p> <p>17. At the start of my 30-minute meal period I was required to take off my plastic apron, smock, hardhat, and gloves (cotton and rubber) and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron, smock, hardhat and gloves (cotton and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my</p>	<p>Cut-Up/Packing</p>

	equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.	
Oquendo Decl. ¶¶ 16-18	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because a bell would ring and the line would stop for 30 minutes while hourly production and support employees took a meal period.</p> <p>17. At the start of the 30-minute meal period I was required to take off my smock, plastic apron, arm protector, cloth gloves, and mesh gloves and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, arm protector, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	Evisceration
Mateo Decl. ¶¶ 17-19	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the last chicken would come down the line. The line started again exactly 30 minutes after it stopped.</p> <p>18. At the start of the 30-minute meal break I</p>	Evisceration

	<p>was required to take off my smock, plastic apron, plastic sleeves, and gloves (mesh and plastic) and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, plastic apron, plastic sleeves, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch. There were numerous times that I received warning for not being quick enough to be completely ready in this 30 minutes timeframe.</p>	
<p>Montalvo Decl. ¶¶ 16-18</p>	<p>16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal period because my supervisor Adelaide, Jose Luis or Romulo would yell "break" and the line stopped for 30 while the hourly production and support employees took a meal period.</p> <p>17. At the start of my 30-minute meal period I was required to take off my smock, plastic apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, plastic apron, cloth gloves, plastic gloves, mesh gloves, plastic sleeves and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p>	Eviscerations

	<p>18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.</p>	
<p>W. Lopez Decl. ¶¶ 20-22</p>	<p>20. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line would stop for 30 minutes.</p> <p>21. At the start of the 30-minute meal break I was required to take off my smock, plastic gloves, cloth gloves, mesh glove, arm protector, and my plastic apron and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, cloth gloves, apron, smock, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>22. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.</p>	Evisceration
<p>J. Rubendall Decl. ¶¶ 19-21</p>	<p>19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the chickens would stop coming for 30 minutes while the production and support employees took a meal period.</p>	Evisceration

	<p>20. At the start of my 30-minute meal period I was required to take off my mesh gloves, rubber gloves, plastic apron and smock and to wash this equipment. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my gloves at my workstation. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>21. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about coming back from lunch late. The chickens started coming exactly 30 minutes after I left the line.</p>	
<p>Fernandez Decl. ¶¶ 17-19</p>	<p>17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would yell "break" and the hourly support and production employees stopped working for exactly 30 minutes for the meal period.</p> <p>18. At the start of my 30-minute meal period I was required to take off my cloth gloves, rubber gloves, apron, smock, plastic sleeves, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves, apron, smock, and plastic sleeves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.</p> <p>19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my</p>	<p>Live Receiving</p>

	workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.	
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Defendant Required And/Or Permitted All Plaintiffs To Perform the Same PPE Related Unpaid Work At The End Of Their Shifts

26. When the production line stopped, Plaintiffs would take off their boots, mesh gloves, rubber gloves, smock, arm guards, plastic aprons and sleeves and walk to a washing station, and then wait in line for access to the hose and/or the sink, so they could wash their PPE. There was almost always a line to wash equipment.

27. Plaintiffs would wash their PPE more thoroughly and longer at the end of the day than during their meal period because they had to store their PPE in their lockers overnight and the PPE had to be sterile.

28. After washing their PPE, Plaintiffs would exit their department's work area, walk to the locker room area so that they could change and store other PPE in their locker, including, without limitation: plastic aprons, plastic gloves, plastic sleeves, cloth gloves, hairnets, beard nets, earplugs, and boots. The locker area was often crowded. It was common that employees had to wait to get to their locker.

29. Plaintiffs placed smocks in a laundry bag located near the laundry area.

30. All Plaintiffs clocked out at the end of their shift. Most Plaintiffs clocked out as they exited the plant.

Gonzalez Decl. ¶¶ 12-16, 20	12. At the end of my shift I would take off my arm protector, mesh gloves, cloth gloves, and smock and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment. 13. After washing, I exited my department. I	Deboning
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	<p>removed my smock and placed it in a laundry bag outside my department. I also removed and threw away the earplugs and plastic gloves.</p> <p>14. I then walked towards the time clock. I then clocked out.</p> <p>15. After clocking out, I walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my arm protector, mesh gloves, cloth gloves, hairnet, and boots.</p> <p>16. I then left the plant.</p> <p>20. It took longer to remove and wash my arm protector, cloth gloves, mesh gloves and smock at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
F. Lopez Decl. ¶¶ 12-14, 18	<p>12. At the end of my shift I would take off my arm protector, plastic gloves, cloth gloves and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I exited my department. I removed the smock. I placed my smock in a hamper just outside my department. I removed and threw away the earplugs. I walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my steel-toe boots, apron, hairnet, cloth gloves, plastic gloves, and arm guard.</p> <p>14. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my arm protector, plastic gloves, cloth gloves and apron at the end of the day than during the meal period because at the end of the day my</p>	Deboning

	<p>equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Arrendondo Decl. ¶¶ 11-13, 17</p>	<p>11. At the end of my shift I would take off my arm protector, sleeves, mesh gloves, and apron, and got in line to use a wash station. There was almost always a line to wash equipment. I would also wash my boots and knife sharpener. I was required to wash and dry my equipment.</p> <p>12. After washing, I would exit my department. I placed my smock in a hamper outside the department. I then walked towards the locker area and threw away my hairnet, earplugs, and plastic gloves. I removed my boots. I then stowed in my locker my apron, sleeves, boots, arm protector, mesh gloves, and knife sharpener.</p> <p>13. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>17. It took longer to remove and wash my arm protector, sleeves, mesh gloves, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Deboning</p>
<p>Melgar Decl. ¶¶ 13-16, 20</p>	<p>13. At the end of my shift I would take off my cloth gloves, metal gloves, plastic gloves, protective glasses, plastic apron, and sleeves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I walked to the locker area. I removed my smock and placed my smock in a laundry bag outside my department. Once at my locker I removed my boots. I stowed in my locker my boots, sleeves, plastic apron,</p>	<p>Deboning</p>

	<p>protective glasses, cloth gloves, plastic gloves and metal gloves. I occasionally threw away my plastic gloves, earplugs, and hairnet.</p> <p>15. I picked up new equipment the following morning.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my boots, cloth gloves, plastic gloves, metal gloves, plastic apron, protective glasses, plastic apron, and plastic sleeves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
Perez Decl. ¶¶ 15-19, 23	<p>15. At the end of my shift I would take off my cloth gloves, mesh gloves, plastic gloves, plastic apron, and arm guards and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>16. After washing, I exited my department. I removed my smock and placed it in a laundry bag near the exit of my department.</p> <p>17. I then walked to the time clock and clocked out.</p> <p>18. I then walked to my locker. I removed and threw away the hairnet and earplugs. I also removed my boots. I stowed in my locker my apron, arm guard, cloth gloves, plastic gloves, mesh gloves, and boots.</p> <p>19. I then left the plant.</p> <p>23. It took longer to remove and wash my cloth gloves, mesh gloves, plastic gloves, plastic apron, arm guard, and boots at the end of the</p>	Deboning

	<p>day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Vargas Decl. ¶¶ 13-15, 19</p>	<p>13. At the end of my shift I would take off my cloth gloves, plastic gloves, protective sleeves, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department. I removed my smock. I put my smock in a Farmers Pride hamper by the exit of the department. I then walked towards my locker to stow my boots. I threw away my rubber gloves, hairnet, and earplugs. I then stowed in my locker my apron, plastic gloves, cloth gloves, and protective sleeves. I also removed my boots and stowed them in my locker.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, protective sleeves, cloth gloves, plastic gloves, and apron, at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Deboning</p>
<p>Urbaez Decl. ¶¶ 13-17, 21</p>	<p>13. Prior to late fall 2007, at the end of my shift I would take off my arm guard, cloth gloves, plastic gloves, metal gloves, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p>	<p>Deboning</p>

	<p>14. After washing, I exited my department. I removed the smock. I then placed the smock in a laundry bag just outside my department.</p> <p>15. I then walked towards the time clock and clocked out.</p> <p>16. I then walked towards my locker to stow my arm guard, cloth gloves, plastic gloves, metal gloves, apron, hairnet, and earplugs. I also removed my boots and stowed them in my locker.</p> <p>17. I then left the plant.</p> <p>21. It took longer to remove and wash my boots, arm guard, metal gloves, cloth gloves, plastic gloves, and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
Tavarez Decl. ¶¶ 12-14, 18	<p>12. Prior to late fall 2007, at the end of my shift I would take get in line to use a wash station and remove and wash my cloth gloves, plastic gloves, metal gloves, arm protector, and apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I exited my department. I removed my smock. I placed my smock in a Farmers Pride hamper located just outside the department. I then walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I then usually stowed in my locker my metal gloves, hairnet, arm protector, apron, and boots, cloth gloves and plastic gloves. I occasionally took some of my equipment home to continue cleaning. I threw away my earplugs.</p> <p>14. I then walked towards the time clock. I</p>	Deboning

	<p>clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my cloth gloves, plastic gloves, metal gloves, arm protector, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Santana Decl. ¶¶ 13-15, 19</p>	<p>13. At the end of my shift I would take off my plastic apron, cloth gloves, metal gloves, and arm protectors, plastic sleeves and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I walked to the locker room. The locker room was often crowded. It was common that I had to wait to get to my locker. I removed my smock. I placed my dirty smock in a laundry bag right outside the Deboning department. I then removed my boots. I stowed in my locker my plastic apron, cloth gloves, metal gloves, plastic sleeves, and arm protectors. I threw away my plastic gloves, hairnet, beard net, and earplugs.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, plastic apron, cloth gloves, metal gloves, and arm protectors at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Deboning</p>
<p>Romero Decl. ¶¶ 14-16, 20</p>	<p>14. At the end of my shift I would take off my rubber gloves, mesh glove, plastic apron, and arm guard and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash</p>	<p>Deboning</p>

	<p>equipment. I was required to wash and dry my equipment.</p> <p>15. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my smock. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my rubber gloves, mesh gloves, plastic apron, arm guard, hairnet and earplugs, rubber boots.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my boots, rubber gloves, mesh gloves, plastic apron, and arm guard at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>S. Rodriguez Decl. ¶¶ 12-14, 18</p>	<p>12. Prior to late fall 2007, at the end of my shift I would take off my plastic gloves, plastic apron, mesh gloves, arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my cloth smock and cloth gloves. I placed my cloth smock and cloth gloves in a laundry bag. I then threw away my earplugs and hairnet. I then removed my boots. I stowed in my locker my mesh gloves, plastic apron, arm protector, and plastic gloves.</p> <p>14. I then walked towards the time clock. I</p>	<p>Deboning</p>

	<p>clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my boots, plastic gloves, mesh gloves, ear protector, and arm protector at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
J. Rodriguez Decl. ¶¶ 13-15, 19	<p>13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, smock, plastic apron, and arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I walked to the locker area. I removed my smock. I placed my smock in a laundry bag outside the department. I then removed my boots. I stowed in my locker my boots, hairnet, plastic apron, cloth gloves, and arm protector. I threw away my plastic gloves and occasionally my earplugs.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, cloth gloves, rubber gloves, plastic apron, and arm protector at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Deboning
Patino Decl. ¶¶ 13-16, 20	<p>13. At the end of my shift I would take off my cloth gloves, mesh gloves, plastic gloves, plastic apron, plastic sleeves and get in line to use a wash station to wash this equipment. I was also required to wash my boots and scissors. There was almost always a line to wash equipment. I was required to wash and</p>	Deboning

	<p>dry my equipment.</p> <p>14. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my smock in a laundry bag as I exited the department. I also removed and threw away the hairnet, earplugs, and plastic gloves.</p> <p>15. Once at my locker, I removed my boots. I stowed in my locker my boots, cloth gloves, plastic apron, plastic sleeves, and mesh gloves.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my plastic gloves, cloth gloves, mesh gloves, plastic sleeves, apron and boots at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>J. Hernandez Decl. ¶¶ 13-17, 21</p>	<p>13. At the end of my shift I would take off my arm protector, plastic gloves, mesh gloves, and plastic apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked towards the supply window. I turned in my cloth apron at the supply window. I also removed and threw away the hairnet and earplugs.</p> <p>15. After the supply room, I walked back to my locker. At my locker, I removed my boots. I then stowed my boots, arm protector, cloth gloves, plastic apron, plastic gloves, and mesh gloves in my locker.</p>	<p>Deboning</p>

	<p>16. I exchanged damaged equipment the following morning.</p> <p>17. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>21. It took longer to remove and wash my arm protector, plastic gloves, mesh gloves, cloth gloves, and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	
E. Hernandez Decl. ¶¶ 13-18, 22	<p>13. At the end of my shift I would take off my plastic apron, cloth gloves, mesh gloves, rubber gloves and arm protector, and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my smock in a hamper located near the entrance of the Deboning department.</p> <p>15. I then walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my boots, plastic apron, rubber gloves, cloth gloves, mesh gloves, hairnet and arm protector.</p> <p>16. I almost always threw away my earplugs.</p> <p>17. I exchanged damaged equipment the following morning.</p> <p>18. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>22. It took longer to remove and wash my boots, arm protector, apron, cloth gloves, rubber gloves, and mesh gloves at the end of the day than during the meal period because at the end of the day my equipment was going to</p>	Deboning

	be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.	
Cuevas Decl. ¶¶ 14-18, 22	<p>14. At the end of my shift I would take off my arm protector, apron, sleeves, cotton gloves, and mesh gloves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment. I also removed my rubber gloves, hairnet, smock and ear plugs.</p> <p>15. After washing, I exited my department and walked towards the locker area. I placed my smock in a hamper located near the entrance of the Deboning department.</p> <p>16. Once at my locker, I removed my boots. I then stowed in my locker my arm protector, plastic sleeves, mesh gloves, cloth gloves, and rubber boots. I threw away my hairnet, earplugs, and rubber gloves.</p> <p>17. I exchanged damaged equipment the following morning.</p> <p>18. I then walked towards the time clock. I clocked out as I left the plant</p> <p>22. It took longer to remove and wash my boots, arm protector, apron, sleeves, mesh gloves, and cloth gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	Deboning
A. Contreras Decl. ¶¶ 13-17, 21	13. At the end of my shift I would take off my arm protector, plastic apron, cloth gloves, and mesh gloves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was	Deboning

	<p>required to wash and dry my equipment. I also removed my plastic gloves, hairnet and earplugs.</p> <p>14. After washing, I exited my department and walked towards the locker area. I placed my smock in a hamper located near the entrance of the Deboning department.</p> <p>15. Once at my locker, I removed my boots. I then stowed in my locker my mesh gloves, cloth gloves, plastic apron, arm protector, and boots. I threw away my hairnet, earplugs, and plastic gloves.</p> <p>16. I exchanged damaged equipment the following morning.</p> <p>17. I then walked towards the time clock. I clocked out as I left the plant</p> <p>21. It took longer to remove and wash my boots, arm protector, apron, cloth gloves, and mesh gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Cerda Decl. ¶¶ 12-14, 18</p>	<p>12. At the end of my shift I would take off my plastic sleeves, rubber gloves, mesh gloves and plastic apron and get in line to use a wash station to wash this equipment. I was also required to clean my rubber boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I would exit my department and walk towards the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed in my locker my plastic apron, rubber boots, hairnet, earplugs, plastic sleeves, cloth gloves, and mesh gloves. I placed the smock in a laundry bag located near the locker area. I exchanged damaged equipment</p>	<p>Deboning</p>

	<p>the following morning.</p> <p>14. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my plastic sleeves, plastic apron, mesh gloves, rubber gloves and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
Pagan Decl. ¶¶ 13-15, 19	<p>13. At the end of my shift I would get in line to use a wash station to remove and wash my rubber boots, mesh gloves, rubber gloves, plastic apron and smock. I was also required to wash my boots. There was almost always a line to wash my equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my rubber boots, mesh gloves, rubber gloves, hairnet, earplugs, plastic apron, and smock.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my rubber boots, mesh gloves, rubber gloves, smock, and plastic apron, at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	Deboning
Cid Decl. ¶¶ 13-16, 20	<p>13. At the end of my shift I would take off my plastic apron, cloth gloves, rubber gloves, and arm protector and get in line to use a wash</p>	Deboning

	<p>station to wash this equipment. I was also required to clean my rubber boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I would exit my department and walk towards the locker area. I placed in a laundry basket outside of my department my smock.</p> <p>15. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my boots. I then stowed in my locker my plastic apron, boots, hairnet, earplugs, arm protector, rubber gloves, and cloth gloves. I exchanged damage equipment the following morning.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my plastic apron, arm protector, rubber gloves, cloth gloves and boots at the end of the day than during the meal break because at the end of the day, my equipment was going to be left in my locker overnight. As result, the equipment had to be sterile enough to sit in a locker overnight.</p>	
Alcade Decl. ¶¶ 12-14, 18	<p>12. At the end of my shift I would take off my boots, mesh gloves, rubber gloves, smock, arm guards, and plastic apron and get in line to use a wash station to wash this equipment. I was also required to wash the boots. There was always a line to wash equipment. I was then required to wash and dry my equipment.</p> <p>13. After washing, I would exit my department and walk towards the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed in my locker my boots, mesh gloves, rubber gloves, arm guards, hairnet, earplugs and plastic apron. I placed the smock in a laundry bag located near the locker</p>	Deboning

	<p>area. I exchanged damaged equipment the following morning.</p> <p>14. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my boots, mesh gloves, rubber gloves, arm guards, boots and plastic apron at the end of the day than during the meal break because at the end of the day, my equipment was going to be left in my locker overnight. As result, the equipment had to be sterile enough to sit in a locker overnight.</p>	
<p>Munoz Decl. ¶¶ 12-17, 21</p>	<p>12. At the end of my shift I would remove my apron, cloth gloves, mesh gloves, and arm protector and get in line to use a wash station and wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I exited my department and walked towards the locker area.</p> <p>14. I removed my smock and placed the smock and plastic gloves in a laundry bin by the exit of my department.</p> <p>15. I threw away my earplugs.</p> <p>16. Once at my locker, I removed my boots. I stowed in my locker my boots, cloth gloves, mesh gloves, hairnet, arm protector and apron.</p> <p>17. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>21. It took longer to remove and wash my apron, cloth gloves, mesh gloves, arm protector and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Deboning</p>

Solis Decl. ¶¶ 13-15, 19	<p>13. At the end of my shift I would take off my cloth gloves, plastic gloves, mesh gloves, arm protector, plastic sleeves and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department. I removed the smock and placed the smock in a laundry bag outside of my department. I then walked towards my locker to throw away my hairnet and earplugs. I then stowed in my locker my mesh gloves, plastic arm guard, boots, apron, protective sleeves, plastic gloves, and cloth gloves.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, mesh gloves, cloth gloves, plastic gloves, plastic arm protector, protective sleeves and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Deboning
Mercado Decl. ¶¶ 12-15, 19	<p>12. At the end of my shift I would get in line to use a wash station to remove and wash my cloth gloves and rubber gloves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I walked towards the locker area. I then placed my smock in a laundry bag outside of the Deboning department. Once I arrived at the locker area, I removed my boots. I then stowed in my locker my cloth gloves, rubber gloves, earplugs, hairnet and rubber boots.</p> <p>14. I exchanged damaged equipment the following morning.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p>	Deboning

	<p>19. It took longer to remove and wash my boots, cloth gloves, and rubber gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>R. Contreras Decl. ¶¶ 13-16, 20</p>	<p>13. At the end of my shift I would take off my arm protector, plastic apron, mesh gloves, cloth gloves and cloth smock and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked towards my locker. At my locker, I removed my boots. I then stowed in my locker my plastic apron, smock, mesh gloves, cloth gloves, arm protector, and boots. I would throw away my earplugs, plastic gloves, and hairnet.</p> <p>15. I exchanged damaged equipment the following morning.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my arm protector, plastic apron, sleeves, cloth gloves, mesh gloves and smock at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Deboning</p>
<p>J. Rivera Decl. ¶¶ 13-15</p>	<p>13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, mesh gloves, arm protector, smock, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked towards the locker area. I threw away the</p>	<p>Deboning</p>

	<p>rubber gloves and earplugs. I removed my boots. I stowed in my locker my boots, apron, smock, cloth gloves, mesh gloves, hairnet, and arm protector. I occasionally took equipment home if it needed additional cleaning.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p>	
Severino Decl. ¶¶ 13-15, 19	<p>13. Prior to late fall 2007, at the end of my shift I would take off my gloves (cotton and plastic), apron, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I walked to the cafeteria. I removed my smock and placed it in a Farmers Pride hamper. Then I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my earplugs, gloves (cotton and plastic), slip on rubber boots, hairnet, ear protector, apron, and arm protector. I exchanged my equipment the following morning.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my gloves (cotton and plastic), apron, and arm protector at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Cut-Up/Packing
Rosado Decl. ¶¶ 14-16, 20	<p>14. At the end of my shift I would take off my smock, cloth gloves and rubber gloves and get in line to use a wash station to wash the smock, cloth gloves, rubber gloves and boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p>	Cut-Up/Packing

	<p>15. After washing, I would exit my department and walk towards the locker room.</p> <p>16. At my locker, I removed my boots. The locker room was often crowded. It was common that I had to wait to get to my locker. I stowed my boots in my locker. I then changed back into my street clothes. I placed in a laundry bin in the locker area my rubber gloves, cloth gloves, smock, ear plugs, beard net, and hairnet.</p> <p>20. It took longer to remove and wash my smock, rubber gloves and cloth gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Paniagua Decl. ¶¶ 12-14, 18</p>	<p>12. At the end of my shift I would remove my cloth gloves, mesh gloves, apron, and sleeves, and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I exited my department and walked to my locker. I removed my boots. I stowed in my locker my boots, arm protector, cloth gloves, and mesh gloves. I placed in a laundry bin my smock, apron, and sleeves. I threw away the hairnet and earplugs.</p> <p>14. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>18. It took longer to remove and wash my boots, cloth gloves, mesh gloves, apron, and sleeves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the</p>	<p>Cut-Up/Packing</p>

	equipment had to be sterile enough to sit overnight.	
J. Lopez Decl. ¶¶ 15-17, 21	<p>15. At the end of my shift I would take get in line to use a wash station to remove and wash my cloth gloves, mesh gloves, plastic gloves, plastic sleeves, arm protector, and plastic apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>16. After washing, I exited my department and placed my smock in a hamper near the exit of the department. I then walked to my locker. I removed and stowed in my locker my boots, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, arm protector, earplugs, and hairnet.</p> <p>17. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>21. It took longer to remove and wash my boots, plastic sleeves, arm protector, cloth gloves, plastic gloves, mesh gloves, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Cut-Up/Packing
Collazo Decl. ¶¶ 14-17, 21	<p>14. Prior to late fall 2007, at the end of my shift I was required to remove and use a wash station to wash my cloth gloves and plastic gloves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>15. After washing, I walked towards the supply window. I then placed my smock in a laundry</p>	Cut-Up/Packing

	<p>bag outside of my department.</p> <p>16. I then walked from my department entrance to the locker area. I removed my boots. I stowed my boots, sweater, earplugs, hairnet, plastic gloves, and cloth gloves in my locker.</p> <p>17. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>21. It took longer to remove and wash my boots, plastic gloves and cloth gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Bulaga Decl. ¶¶ 13-16, 20</p>	<p>13. At the end of my shift I would take off my mesh gloves, plastic apron, and arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was occasionally a line to wash this equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, mesh gloves, plastic apron, arm protector, earplugs, rubber slip-on boots, and a knife sharpener. I placed the smock in a laundry bag located near the locker area. I also threw away the earplugs and plastic gloves.</p> <p>15. I exchanged damaged equipment the following morning.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It almost always took longer to remove and wash my boots, mesh gloves, plastic apron, and arm protector at the end of the day than during the meal period because at the end of the day,</p>	<p>Cut-Up/Packing</p>

	my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.	
G. Rubendall Decl. ¶¶ 13-15, 19	<p>13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, plastic apron, hairnet, earplugs, and smock. I then got in line to wash the cloth gloves, rubber gloves, and plastic apron. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, plastic apron, rubber gloves, cloth gloves, earplugs, and steel-toed boots. I placed the smock in a laundry bag located near the time clock. I exchanged damaged equipment the following morning.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, cloth gloves, rubber gloves, smock and plastic apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Cut-Up/Packing
Pressel Decl. ¶¶ 14-16, 20	<p>14. At the end of my shift I would get in line to use a wash station. I would then remove and wash my hardhat, gloves (cloth and rubber), smock and plastic apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>15. After washing, I exited my department and</p>	Cut-Up/Packing

	<p>walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my hardhat, cloth gloves, rubber gloves, plastic apron, earplugs, hairnet and boots.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my boots, plastic apron, hardhat, smock, and gloves (cloth and rubber) after my shift was over than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
Fabian Decl. ¶¶ 15-18, 22	<p>15. At the end of my shift I would take off my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>16. After washing, I exited my department and walked towards the cafeteria. I removed my smock. I placed my cloth smock in a laundry bag located outside of the cafeteria. I threw away my earplugs.</p> <p>17. I then walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my boots. I then stowed in my locker my plastic apron, metal gloves, plastic sleeves, hairnet, rubber slip on boots, plastic gloves, and an arm protector.</p> <p>18. I then walked towards the time clock. I clocked out as I left the plant.</p>	Cut-Up/Packing

	<p>22. It took longer to remove and wash my boots, arm protector, cloth gloves, plastic gloves, plastic sleeves, plastic apron and mesh gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Araujo Decl. ¶¶ 13-16, 20</p>	<p>13. At the end of my shift I would remove my plastic apron, cloth gloves and plastic sleeves and get in line to use a wash station. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and walked to the cafeteria where I placed my smock in a laundry bag.</p> <p>15. Next, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my plastic apron, plastic sleeves, cloth gloves, and boots. I then threw away my earplugs, plastic gloves, and a hairnet.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my plastic apron, cloth gloves, plastic gloves, plastic sleeves, and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	<p>Cut-Up/Packing</p>
<p>Mittermeier Decl. ¶¶ 13-15, 19</p>	<p>13. At the end of my shift I would take off my gloves (cotton and rubber), smock, hardhat, and plastic apron and get in line to use a wash station</p>	<p>Cut-Up/Packing</p>

	<p>to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my hardhat, cotton gloves, rubber gloves, plastic apron, earplugs, hairnet, beard net and boots. I exchanged damaged equipment the next morning.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my boots, apron, smock, hard hat and gloves (cotton and rubber) after my shift was over than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Oquendo Decl. ¶¶ 12-15, 19</p>	<p>12. At the end of my shift I would take off my plastic gloves, cloth gloves, mesh gloves, arm protector, and plastic apron and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>13. After washing, I exited my department and walked towards the locker area. I removed my boots. I stowed in my locker my mesh gloves, arm protector, and boots. I then removed my smock. I placed in a laundry bag the cloth gloves, plastic apron and smock.</p> <p>14. I threw away my plastic gloves, hairnet and beard net, and earplugs.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p>	<p>Evisceration</p>

	<p>19. It took longer to remove and wash my boots, cloth gloves, mesh gloves, arm protector, and plastic apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>Mateo Decl. ¶¶ 13-16, 20</p>	<p>13. At the end of my shift I would take off my plastic gloves, mesh gloves, plastic apron and plastic sleeves and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and placed my smock in a hamper near the exit of the department. I then walked towards the locker area. I tossed my hairnet, ear protector, and beard net in a laundry bag located outside of the supply room.</p> <p>15. I then walked from the supply area to my locker. The locker room was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed my mesh glove, plastic gloves, knife sharpener, plastic sleeves, plastic apron, and boots in my locker.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my boots, plastic apron, plastic sleeves, and gloves (mesh and plastic) at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	Evisceration
<p>Montalvo Decl.</p>		Eviscerations

¶¶ 13-15, 19	<p>13. At the end of my shift I would take off my plastic apron, cloth gloves, plastic gloves, plastic sleeves, mesh gloves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and put my smock on a hamper by the exit of my department. Then I went to my locker where I stowed out my mesh gloves, cloth gloves, plastic apron, arm protector, plastic sleeves, plastic gloves, hairnet, and boots. I threw away my earplugs.</p> <p>15. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>19. It took longer to remove and wash my plastic apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, boots and arm protector at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
W. Lopez Decl. ¶¶ 15-19, 23	<p>15. At the end of my shift I would take off my plastic apron, plastic gloves, cloth gloves, mesh gloves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>16. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my cloth smock in a laundry bag located outside of the locker area. I threw away my earplugs.</p> <p>17. The locker room was often crowded. It was common that I had to wait to get to my locker. I</p>	Evisceration

	<p>removed my boots. I then stowed in my locker my mesh gloves, plastic gloves, cloth gloves, hairnet, beard net, plastic apron, boots and arm protector.</p> <p>18. I exchanged damaged equipment the following morning.</p> <p>19. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>23. It took longer to remove and wash my boots, arm protector, cloth gloves, plastic gloves, plastic apron and mesh gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.</p>	
<p>J. Rubendall Decl. ¶¶ 14-18, 22</p>	<p>14. At the end of my shift I would take off my mesh gloves, rubber gloves, smock and plastic apron. I then got in line to use a wash station to wash my mesh gloves, rubber gloves, plastic apron and boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>15. I then left the mesh gloves at my workstation.</p> <p>16. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, plastic apron, rubber gloves, ear protection, and steel-toed boots. I placed the smock in a laundry bag located near the locker area.</p> <p>17. I exchanged damaged equipment the following morning.</p> <p>18. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>22. It took longer to remove and wash my mesh</p>	<p>Evisceration</p>

	gloves, rubber gloves, plastic apron and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight. As a result, the equipment had to be sterile enough to sit overnight.	
Fernandez Decl. ¶¶ 13-16, 20	<p>13. Prior to late fall 2007, at the end of my shift I would get in line to use a wash station to remove and wash my cloth gloves, rubber gloves, apron, and plastic sleeves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.</p> <p>14. After washing, I exited my department and put my smock in a Farmers Pride hamper outside of the Live Receiving department.</p> <p>15. I then walked to the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my boot, plastic sleeves, cloth gloves, rubber gloves, earplugs, hairnet, beard net and apron.</p> <p>16. I then walked towards the time clock. I clocked out as I left the plant.</p> <p>20. It took longer to remove and wash my cloth gloves, rubber gloves, plastic gloves, sleeves, and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.</p>	Live Receiving

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 24th day of November, 2009 in San Francisco, California.


Clint J. Brayton

I, Xiomara Alcade, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Deboning Department from approximately February 2002 until approximately March 2006. My primary responsibility was to debone and remove the skin off the chicken with knives.

4. I earned approximately between \$7.25 and \$9.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning Department. My equipment and protective clothing included earplugs, mesh gloves, rubber gloves, hairnet, earplugs, arm guard, arm sleeves, rubber boots, a plastic apron, knife sharpener and smock. My supervisors required me to put on this equipment prior to the start of my shift.

6. During my time at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After I clocked in, I walked to my locker. The locker area was always crowded. It was common that I had to wait to get to my locker. Once at my locker I removed my plastic apron, earplugs, rubber gloves, mesh gloves, hairnet, earplugs, arm guard, arm sleeves, knife sharpener and boots. I would then put on this equipment in the locker area.

8. After doing that, I would go to a supply window to pick up a clean cloth smock. If my equipment was damaged I would also pick up new equipment that I needed before the start of my shift such as gloves, a hairnet or ear plugs. There was always a line to get equipment at the supply window. I then put on the smock and additional equipment outside of the supply window.

9. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of

our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, my supervisor told me that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would take off my boots, mesh gloves, rubber gloves, smock, arm guards, and plastic apron and get in line to use a wash station to wash this equipment. I was also required to wash the boots. There was always a line to wash equipment. I was then required to wash and dry my equipment.

13. After washing, I would exit my department and walk towards the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed in my locker my boots, mesh gloves, rubber gloves, arm guards, hairnet, earplugs and plastic apron. I placed the smock in a laundry bag located near the locker area. I exchanged damaged equipment the following morning.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

15. When I was first hired at Farmer's Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30

minutes. I knew it was time for a meal break because the line stopped for exactly 30 minutes while hourly support and production employees took a meal break.

16. At the start of my 30-minute meal break I was required to take off mesh gloves, rubber gloves, arm guards, smock and plastic apron and to find a hook to hang my equipment. I was also required to clean my boots. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required retrieve my equipment and to wash my plastic apron, the smock, mesh gloves, rubber gloves, and arm guard. There was often a line at the wash station where I washed my equipment. I was required to wash my equipment and put my equipment back on and walk back to my workstation exactly 30 minutes after leaving my workstation for my 30-minute meal break or my supervisor would speak with me about returning late from lunch late.

18. It took longer to remove and wash my boots, mesh gloves, rubber gloves, arm guards, boots and plastic apron at the end of the day than during the meal break because at the end of the day, my equipment was going to be left in my locker overnight. As result, the equipment had to be sterile enough to sit in a locker overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 7 day of Nov. 2009 in PA, Pennsylvania.



XIOMARA ALCALDE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF DIGNA M. ARAUJO

DECLARATION OF DIGNA M. ARAUJO

I, Digna M. Araujo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Cut-up department from approximately August 2004 until approximately February 2006. My job duties and responsibilities included packing chicken.

4. I earned approximately \$9.20 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Cut-up department. My equipment and protective clothing included a plastic apron, smock, plastic gloves, cloth gloves, earplugs, hairnet, plastic sleeves, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, plastic sleeves, cloth gloves, and rubber boots. I then put on in the locker area my rubber boots.

8. I would then walk from the locker area to a supply window. I waited in line at the supply window to pick up some additional gear that I needed before the start of my shift including a smock, earplugs, plastic gloves, and a hairnet. I also exchanged damaged equipment. There was almost always a line to get equipment at the supply window.

9. I then put on outside of the supply window my plastic apron, smock, plastic gloves, cloth gloves, earplugs, hairnet, and plastic sleeves.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked near the entrance of the Cut-up department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would remove my plastic apron, cloth gloves and plastic sleeves and get in line to use a wash station. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked to the cafeteria where I placed my smock in a laundry bag.

15. Next, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my plastic apron, plastic sleeves, cloth gloves, and boots. I then threw away my earplugs, plastic gloves, and a hairnet.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute period.

18. At the start of my 30-minute meal period I was required to take off my plastic apron, plastic gloves, cloth gloves and plastic sleeves, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, plastic sleeves, rubber gloves, and cloth gloves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

20. It took longer to remove and wash my plastic apron, cloth gloves, plastic gloves, plastic sleeves, and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

DIGNA M. ARAUJO

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TESTIMONIO DE DIGNA M. ARAUJO

TESTIMONIO DE DIGNA M. ARAUJO

La que suscribe, Digna M. Araujo, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé para Farmers Pride en el Departamento de Destazado aproximadamente desde Agosto del 2004 hasta aproximadamente Febrero del 2006. Las obligaciones y responsabilidades de mi puesto incluían empacar el pollo.

4. Aproximadamente ganaba \$9.20 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección en el departamento de Destazado. Mi equipo y prendas de protección incluían un mandil de plástico, una bata, guantes de plástico, guantes de tela, tapones para los oídos, una red para el cabello, mangas plásticas y botas de goma. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar caminaba desde ahí hasta el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker sacaba el mandil de plástico, las mangas plásticas, los guantes de tela y las botas de goma. Dentro del área de vestidores me calzaba las botas de goma.

8. Posteriormente procedía a caminar desde el área de vestidores hasta la ventana de suministros. Me formaba en la ventana de suministros para recoger otros aditamentos que necesitara antes de empezar mi turno, incluyendo una bata, tapones para los oídos, guantes de plástico y una red para cabello. También intercambiaba el equipo que estuviera dañado. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Después me ponía mi mandil de plástico, la bata, los guantes de plástico, los guantes de tela, los tapones para los oídos, la red para cabello y las mangas plásticas, afuera de la ventana de suministros.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

11. Una vez vestida y lista para trabajar, me acercaba a la entrada del Departamento de Destazado y esperaba junto con los demás para que nuestros supervisores nos permitieran entrar a nuestro departamento. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Los supervisores y empleados de Farmers Pride en ocasiones aprovechaban este tiempo para revisar y asegurarse de que nuestro equipo estaba limpio y bien puesto.**

12. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar las prendas y el equipo de protección desde mi locker hasta la ventana de suministros para cambiarlo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Al finalizar el turno me quitaba mi mandil de plástico, los guantes de tela y las mangas plásticas y me formaba para utilizar una estación de lavado. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después del lavado salía de mi Departamento dirigiéndome hacia la cafetería, en donde colocaba mi bata en una bolsa para lavandería.

15. Después, me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker.

Procedía entonces a quitarme las botas. En mi locker guardaba mi mandil de plástico, las mangas plásticas, los guantes de tela y las botas. Y tiraba los tapones para los oídos, los guantes de plástico y una red para el cabello.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era el descanso de comida porque la línea se detenía durante exactamente 30 minutos mientras que los empleados de producción y soporte por hora tomaban 30 minutos.

18. Al iniciar el descanso de 30 minutos para comer, debía quitarme el mandil de plástico, los guantes de plástico, los guantes de tela y las mangas plásticas y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que buscar un gancho para colgar mi mandil de plástico, las mangas plásticas, los guantes de goma y los guantes de tela. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

20. Me tardaba más quitarme y lavar mi mandil de plástico, los guantes de tela, los guantes de plástico, las mangas plásticas y las botas, al final del día que durante el período de comer porque al final del día mi equipo quedaría guardado en mi locker y en el cuarto de suministros hasta el día siguiente. Por ello, el equipo debía estar esterilizado para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de 09 2009 en Reading Pennsylvania.

x Digna Araujo
DIGNA M. ARAUJO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

vs.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF MIRCA ARRENDONDO

DECLARATION OF MIRCA ARRENDONDO

I, Mirca Arrendondo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked as a Trimmer in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately May 2006 until around January 2008. My primary responsibilities involved cutting the chickens with knives.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as a Trimmer in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic apron, hairnet, plastic gloves, mesh gloves, arm protector, plastic sleeves, earplugs, knife sharpener, and steel-toed boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I would then walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, arm protector, plastic sleeves, knife sharpener, and steel-toed boots. I would then put on the steel-toed boots in the locker area.

8. I would then walk from the locker area to a supply window. I picked up a clean smock, apron, hairnet, earplugs, and plastic gloves at the supply window. There was almost always a line to pick up equipment at the supply window. I then put on my equipment outside of the supply window.

9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

11. At the end of my shift I would take off my arm protector, sleeves, mesh gloves, and apron, and got in line to use a wash station. There was almost always a line to wash equipment. I would also wash my boots and knife sharpener. I was required to wash and dry my equipment.

12. After washing, I would exit my department. I placed my smock in a hamper outside the department. I then walked towards the locker area and threw away my hairnet, earplugs, and plastic gloves. I removed my boots. I then stowed in my locker my apron, sleeves, boots, arm protector, mesh gloves, and knife sharpener.

13. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

14. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for 30 minutes while the hourly support and production employees took a meal period.

15. At the start of my 30-minute meal period I was required to take off my arm protector, sleeves, mesh gloves, plastic gloves, apron, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm protector, sleeves, mesh gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

16. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

17. It took longer to remove and wash my arm protector, sleeves, mesh gloves, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MIRCA ARRENDONDO

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE MIRCA
	)	ARRENDONDO
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MIRCA ARRENDONDO

el equipo en la ventana de suministros. Entonces me ponía el equipo fuera de la ventana de suministros.

9. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

10. Una vez vestida, lista para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio. Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.**

11. Al final de mi turno me quitaría mis protectores de antebrazos, las mangas, los guantes de malla y el mandil y me formaba para utilizar la estación de lavado. No era raro que hubiera fila para lavar el equipo. También lavaba mis botas y el afilador de cuchillos. Debía lavar y secar mi equipo.

12. Después del lavado, salía de mi departamento. Colocaba mi bata en un contenedor de ropa sucia afuera del departamento. Y me dirigía hacia el área de vestidores en donde tiraba **la red para el cabello, los tapones para los oídos y los guantes de plástico.** Me quitaba las botas. Después guardaba mi mandil, las mangas, las botas, los protectores de antebrazos, los guantes de malla y el afilador de cuchillos en mi locker.

13. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

14. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque

La que suscribe, Mirca Arrendondo, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajaba como Recortadora en el Departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania desde alrededor de Mayo del 2006 hasta alrededor de Enero del 2008. Mis responsabilidades principales incluían cortar los pollos con cuchillo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección como Recortadora del departamento de Deshuesado. Antes de finales de otoño del 2007 mi equipo y prendas de protección incluían una bata, un mandil de plástico, una red para cabello, guantes de plástico, guantes de malla, un protector de antebrazo, mangas plásticas, tapones para los oídos, un afilador de cuchillos y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo pasando la puerta principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales de otoño de 2007, me dirigía a mi locker después de checar la entrada. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker sacaba los guantes de malla, el protector de antebrazo, las mangas plásticas, el afilador de cuchillos y las botas de seguridad. Posteriormente me calzaba las botas de seguridad en el área de vestidores.

8. **Después procedía a caminar desde el área de vestidores hasta la ventana de suministros. Recogía una bata limpia, un mandil, una red para cabello, tapones para los oídos y guantes de plástico en la ventana de suministros. Casi siempre había fila para recoger**

mi supervisor lo anunciaba y la línea se paraba durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban el descanso para comer.

15. Al iniciar el descanso de 30 minutos para comer, debía quitarme los protectores de antebrazos, las mangas, los guantes de malla, los guantes de plástico, el mandil y la bata y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis protectores de antebrazos, las mangas, los guantes de malla, los guantes de plástico, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

16. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

17. Me tardaba más quitarme y lavar mis protectores de antebrazos, las mangas, los guantes de malla y el mandil al final del día que durante el período de comer porque al final del día mi equipo quedaría guardado en mi locker y en el cuarto de suministros hasta el día siguiente. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 09 días de Noviembre 2009 en Reading, Pennsylvania.


MIRCA ARRENDONDO

I, Josefina M. Bulaga, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Cut-Up department from approximately May 2005 through approximately May 2007. I performed various tasks in the Cut-Up department including selecting which pieces of chicken would go to packing and which would be thrown away.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included a smock, hairnet, plastic gloves, plastic apron, steel mesh gloves, arm protector, earplugs, rubber slip-on boots, and a knife sharpener. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. Once at my locker I took out my hairnet, mesh gloves, plastic apron, arm protector, rubber slip-on boots, and a knife sharpener. I put on my boots.

8. I then walked from the locker area to a supply window. At the supply window I waited in line and picked up a clean smock, earplugs, plastic gloves and exchanged any gear that I needed in order to be dressed and ready to work before the start of my shift. There was almost always a line to get equipment at the supply window.

9. I then put on outside of the supply window my smock, hairnet, plastic gloves, plastic apron, steel mesh gloves, arm protector, earplugs, and knife sharpener.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my mesh gloves, plastic apron, and arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was occasionally a line to wash this equipment. I was required to wash and dry my equipment.

14. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, mesh gloves, plastic apron, arm protector, earplugs, rubber slip-on boots, and a knife sharpener. I placed the smock in a laundry bag located near the locker area. I also threw away the earplugs and plastic gloves.

15. I exchanged damaged equipment the following morning.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30


minutes. I knew it was time for a meal period because a supervisor would announce "lunch" and the line would stop for exactly 30-minutes while hourly production and support employees had a meal period.

18. At the start of my 30-minute meal period I was required to take off my plastic gloves, mesh gloves, plastic apron, smock and arm protector, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock and apron. I left my arm protector and gloves at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

20. It almost always took longer to remove and wash my boots, mesh gloves, plastic apron, and arm protector at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 7TH day of NOVEMBER 2009 in NESTOWN, Pennsylvania.



JOSEFINA M. BULAGA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

vs.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF MARIA CERDA

DECLARATION OF MARIA CERDA

I, Maria Cerda, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked as a Cutter in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately February 2004 until around April 2006. I again worked in the Deboning department for Farmers Pride for three months in 2007. My primary responsibilities involved cutting the bad parts off of the chicken.

4. I earned approximately \$9.45 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as a Cutter in the Deboning department. My equipment and protective clothing included a smock, plastic apron, hairnet, rubber gloves, cloth gloves, mesh gloves, plastic sleeves, earplugs, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the rubber gloves, earplugs, plastic apron, hairnet, cloth gloves, mesh gloves, plastic sleeves, and rubber boots that Farmers Pride required me to wear. I then put on my rubber boots.

8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.

9. I then walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, I put on my smock, plastic apron, hairnet, rubber gloves, cloth

gloves, mesh gloves, plastic sleeves, and earplugs. In addition, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would take off my plastic sleeves, rubber gloves, mesh gloves and plastic apron and get in line to use a wash station to wash this equipment. I was also required to clean my rubber boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I would exit my department and walk towards the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed in my locker my plastic apron, rubber boots, hairnet, ear plugs, plastic sleeves, cloth gloves, and mesh gloves. I placed the smock in a laundry bag located near the locker area. I exchanged damaged equipment the following morning.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would yell "break" and the

line would stop for 30 minutes while hourly support and production employees took a meal period.

16. At the start of my 30-minute meal period I was required to take off my plastic sleeves, mesh gloves, rubber gloves, cloth gloves and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock and plastic apron. I left my plastic sleeves, mesh gloves, rubber gloves, and cloth gloves at my work station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

18. It took longer to remove and wash my plastic sleeves, plastic apron, mesh gloves, rubber gloves and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MARIA CERDA

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE MARIA CERDA
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MARIA CERDA

La que suscribe, Maria Cerda, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé como Recortadora en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente febrero del 2004 hasta alrededor de abril del 2006. Después regresé a trabajar durante tres meses en 2007 en el departamento de Deshuesado de Farmers Pride. Mis responsabilidades principales incluían cortar cualquier pedazo defectuoso y quitárselo al pollo.

4. Aproximadamente ganaba \$9.45 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección como Cortadora del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, un mandil de plástico, una red para cabello, guantes de plástico, guantes de tela, guantes de malla, mangas plásticas, tapones para los oídos y botas de goma. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo pasando la puerta principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales de otoño de 2007, me dirigía a mi locker después de checar. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker sacaba los guantes de goma, los tapones para los oídos, el mandil de plástico, la red para el cabello, los guantes de tela, los guantes de malla, las mangas plásticas y las botas de goma que Farmers Pride requería usara. Después me ponía las botas de goma.

8. Después caminaba desde el área de vestidores hasta una ventana de suministros. En la ventana de suministros todos los días me formaba y esperaba para intercambiar el equipo dañado y recoger una bata limpia. Casi siempre había fila para recoger el equipo en la ventana de suministros.

9. Posteriormente procedía a dirigirme a la entrada del departamento de Deshuesado y me formaba junto con mis compañeros. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante este tiempo, me ponía mi bata, el mandil de plástico, la red para cabello, los guantes de goma, los guantes de tela, los guantes de malla, las mangas plásticas y los tapones para los oídos. Además, los supervisores y empleados de Farmers Pride nos revisaban para asegurarse de que el equipo estaba bien puesto y que estaba limpio.**

10. Sin importar el orden en que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía yo estar vestida y lista para trabajar antes de que iniciara mi turno.

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Al final de mi turno me quitaba las mangas plásticas, los guantes de goma, los guantes de malla y el mandil de plástico y me formaba para utilizar una estación de lavado y lavar este equipo. También debía limpiar mis botas de goma. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después del lavado, procedía a salir de mi departamento y dirigirme hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Me quitaba las botas. Después guardaba mi mandil de plástico, las botas de goma, la red para el cabello, los tapones para los oídos, las mangas plásticas, los guantes de tela y los guantes de malla en mi locker. Ponía la bata en una bolsa para lavandería que se encontraba cerca del área de vestidores. Cambiaba el equipo dañado al día siguiente, en la mañana.

14. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

15. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era la hora del descanso porque mi supervisor gritaba “descanso” y la línea se detenía durante exactamente 30 minutos mientras los empleados de soporte y producción por hora tomaban un descanso para comer.

16. Al principio del descanso para comer de 30 minutos debía quitarme las mangas plásticas, los guantes de malla, los guantes de goma, los guantes de tela y la bata y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho y colgar mi bata y el mandil de plástico. Dejaba mis mangas plásticas, los guantes de malla, los guantes de goma y los guantes de tela en la estación de trabajo que me asignaban. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

17. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

18. Me tardaba más quitarme y lavar mis mangas plásticas, el mandil de plástico, los guantes de malla, los guantes y las botas de goma al final del día que durante el descanso de

comida porque al final del día mi equipo quedaría guardado en mi locker y en el cuarto de suministros hasta el día siguiente. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de noviembre 2009 en Reading, Pennsylvania.



MARIA CERDA

I, Magdalena Cid, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmer's Pride") employee at the Fredericksburg, Pennsylvania, plant.

3. I worked in the Deboning department of Farmers Pride from approximately November 2002 through approximately March 2008. My job duties primarily consisted of packing chickens and operating machines. I worked in the Sanitation Department in 2006 for almost a full year.

4. I earned around \$11.73 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included earplugs, smock, a plastic apron, steel toed boots, cloth gloves, rubber gloves, an arm protector and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the earplugs, plastic apron, steel toe boots, cloth gloves, arm protector, rubber gloves and hairnet that Farmers Pride required me to wear. I put on my boots.

8. I then walked from the locker area to a supply window. At the supply window, I waited in line and exchanged damaged equipment and got new equipment, such as new gloves, hairnet or earplugs, that I was required to put on before the start of my shift. I also picked up a clean smock. There was almost always a line to pick up equipment at the supply window.

9. I then put on outside of the supply window my ear plugs, plastic apron, smock, rubber gloves, cloth gloves, arm protector and hairnet.

10. I then walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. In addition, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my plastic apron, cloth gloves, rubber gloves, and arm protector and get in line to use a wash station to wash this equipment. I was also required to clean my rubber boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I would exit my department and walk towards the locker area. I placed in a laundry basket outside of my department my smock.

15. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my boots. I then stowed in my locker my plastic apron, boots, hairnet, earplugs, arm protector, rubber gloves, and cloth gloves. I exchanged damage equipment the following morning.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30

minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line stopped for exactly 30 minutes while support and production employees took a meal break.

18. At the start of my 30-minute meal break I was required to take off my plastic apron, smock, arm protector, rubber gloves, cloth gloves and wash this equipment. I was also required to wash my boots. I also removed my cloth gloves. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly 30 minutes after I left my workstation for my 30-minute meal break or I would get in trouble. In fact, I was written up for arriving back to my station a couple of minutes after the 30-minute time frame had expired.

20. It took longer to remove and wash my plastic apron, arm protector, rubber gloves, cloth gloves and boots at the end of the day than during the meal break because at the end of the day, my equipment was going to be left in my locker overnight. As result, the equipment had to be sterile enough to sit in a locker overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MAGDALENA CID

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE MAGDALENA CID
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MAGDALENA CID

La que suscribe, Magdalena Cid, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride") en la planta de Fredericksburg, Pennsylvania.

3. Desde aproximadamente noviembre del 2002 hasta aproximadamente marzo del 2008 trabajé en el departamento de Deshuesado de Farmers Pride. Mis obligaciones principalmente consistían en empacar el pollo y operar máquinas. Trabajé en el departamento de Desinfectado en el 2006 durante casi un año completo.

4. Ganaba alrededor de \$11.73 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño del 2007 mi equipo y prendas de protección incluían tapones para los oídos, una bata, un mandil de plástico, botas de seguridad, guantes de tela, guantes de goma, protector de antebrazos y una red para el cabello. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Antes de finales de otoño de 2007, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales de otoño de 2007, me dirigía a mi locker después de checar. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker sacaba los tapones para los oídos, el mandil de plástico, las botas de seguridad, los guantes de tela, el protector de antebrazos, los guantes de goma y la red de cabello que Farmers Pride me exigía usar. Me calzaba las botas.

8. Posteriormente caminaba desde el área de vestidores hasta una ventana de suministros. En la ventana de suministros me formaba para esperar e intercambiar el equipo

dañado y obtener equipo nuevo como guantes, red para cabello o tapones nuevos para los oídos que debía ponerme antes de empezar mi turno. También recogía una bata limpia. Casi siempre había fila para recoger el equipo en la ventana de suministros.

9. Posteriormente procedía a ponerme los tapones para los oídos, el mandil de plástico, las botas, los guantes de goma, los guantes de tela y el protector de antebrazos y la red para cabello justo fuera de la ventana de suministros.

10. Posteriormente procedía a dirigirme a la entrada del departamento de Deshuesado y me formaba junto con mis compañeros. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Además, los supervisores y empleados de Farmers Pride nos revisaban para asegurarse de que el equipo estaba bien puesto y que estaba limpio.**

11. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

12. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas del cuarto de suministros eran más largas que en cualquier otro día de la semana. Regularmente, ese día yo llegaba más temprano que de costumbre para asegurarme de contar con suficiente tiempo para recoger las prendas y el equipo de protección y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Al final de mi turno me quitaba el mandil de plástico, los guantes de tela, los guantes de goma y el protector de antebrazos y me formaba para utilizar una estación de lavado y lavarlos. También debía limpiar mis botas de goma. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después del lavado, procedía a salir de mi departamento y dirigirme hacia el área de vestidores. La bata la ponía en una canasta para la lavandería que estaba fuera de mi departamento.

15. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, me quitaba las botas. Después guardaba el mandil de plástico, las botas, la red para cabello, los tapones para los oídos, el protector de antebrazos, los guantes de goma y los guantes de tela dentro de mi locker. Cambiaba el equipo dañado al día siguiente, en la mañana.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando Farmers Pride me contrató se me dijo que tendría un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. Mi descanso para comer duraba menos de 30 minutos. Sabía que era la hora del descanso para comer porque mi supervisor lo anunciaba y la línea se detenía durante exactamente 30 minutos mientras que los empleados de soporte y producción tomaban el descanso para comer.

18. Al inicio de mi descanso de 30 minutos para comer debía quitarme el mandil de plástico, la bata, el protector de antebrazos, los guantes de goma, los guantes de tela y lavarlos. También debía lavar mis botas. También me quitaba los guantes de tela. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho donde colgar mi equipo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer debía desinfectar las manos, tomar mi equipo, volvérmelo a poner y regresar de vuelta a mi estación de trabajo en exactamente 30 minutos después de haber salido de la estación de trabajo para el descanso para comer o estaría en problemas. De hecho me reportaron por regresar tarde a mi estación de trabajo apenas dos minutos después de que terminó el descanso de 30 minutos.

20. Me tardaba más en quitarme y lavar el mandil de plástico, el protector de antebrazos, los guantes de goma, los guantes de tela y las botas, al final del día que durante el descanso para comer porque al final del día mi equipo se quedaba en mi locker hasta el día siguiente. Por ello, el equipo debía estar bien esterilizado para pasar la noche dentro del locker.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de NoViembre 2009 en estado, Pennsylvania.


MAGDALENA CID

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF EDGARDO COLLAZO

DECLARATION OF EDGARDO COLLAZO

I, Edgardo Collazo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Packing department at Farmers Pride in Fredericksburg, Pennsylvania from approximately January 2004 until about November 2008. My job duties included working in the freezer.

4. My supervisors included Paul and Todd. I do not recall their last names.

5. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

6. Farmers Pride required me to wear equipment and protective clothing in the Packing department. Prior to late fall 2007, my equipment and protective clothing included a smock, white cotton gloves, earplugs, hairnet, plastic gloves, leather slip resistant boots, and sweatshirt. My supervisors required me to put on this equipment prior to the start of my shift.

7. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

8. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, sweater, earplugs, hairnet, plastic gloves, and cloth gloves. I then put on my boots in the locker area.

9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged my plastic gloves and any damaged equipment. There was almost always a line to get equipment at the supply window.

10. I then walked to the locker area and put on my sweater, smock, plastic gloves, earplugs, sweater, hairnet, and cloth gloves.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. On one day out of the week, we were required to get new equipment before the start of our shift. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. After I was dressed and ready to work, I walked to the entrance of the Packing department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean and complete.

14. Prior to late fall 2007, at the end of my shift I was required to remove and use a wash station to wash my cloth gloves and plastic gloves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

15. After washing, I walked towards the supply window. I then placed my smock in a laundry bag outside of my department.

16. I then walked from my department entrance to the locker area. I removed my boots. I stowed my boots, sweater, earplugs, hairnet, plastic gloves, and cloth gloves in my locker.

17. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew that it was time for a meal break because the line would stop for 30 minutes while the hourly production and support employees took a meal period.

19. At the start of my 30-minute meal period I was required to take off my smock, cloth gloves, and plastic gloves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock. I then walked to my locker and stowed my cloth gloves and plastic gloves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I retrieved my equipment at my locker and returned to my department. I was required to sterilize my hands, retrieve my smock, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

21. It took longer to remove and wash my boots, plastic gloves and cloth gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

EDGARDO COLLAZO

El que suscribe, Edgardo Collazo, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Desde aproximadamente enero del 2004 hasta alrededor de noviembre de 2008 trabajé en el departamento de Empacado de . Mis responsabilidades incluían trabajar en la congeladora.

4. Entre mis supervisores estaban Paul y Todd. No recuerdo sus apellidos.

5. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

6. En Farmers Pride tenía que usar equipo y prendas de protección en el departamento de Empacado. Antes de finales del otoño de 2007 mi equipo y prendas de protección incluían una bata, guantes blancos de algodón, tapones para los oídos, una red para cabello, guantes de plástico, **botas antiderrapantes de piel** y una sudadera. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

7. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

8. Una vez checada mi entrada, caminaba desde el reloj checador hasta mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker sacaba las botas, el suéter, los tapones para los oídos, la red para cabello, los guantes de plástico y los guantes de tela. Procedía a calzar mis botas en el área de vestidores.

9. Posteriormente procedía a caminar desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger equipo adicional que necesitara antes de iniciar mi turno. Recogía una bata limpia e intercambia mis guantes de plástico y cualquier

equipo que estuviera dañado. Casi siempre había fila en la ventana de suministros para recibir el equipo.

10. Me dirigía posteriormente al área de vestidores y me ponía mi suéter, la bata, los guantes de plástico, los tapones para los oídos, el suéter, la red para cabello y los guantes de tela.

11. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.**

12. Un día de la semana debíamos recoger equipo nuevo antes de empezar el turno. Así, un día a la semana, antes del inicio de mi turno me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Una vez vestido y listo para trabajar, caminaba hacia la entrada del departamento de Empacado y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante esos minutos, los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que traíamos el equipo bien puesto y que estaba limpio y completo.**

14. Antes de finales del otoño del 2007, al final de mi turno debía quitarme y utilizar una estación de lavado para lavar mis guantes de tela y los guantes de plástico. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

15. Después del lavado me dirigía hacia la ventana de suministros. Después colocaba mi bata en una bolsa para la lavandería que estaba fuera de mi departamento.

16. Posteriormente me dirigía desde la entrada de mi departamento al área de vestidores. Me quitaba las botas. Guardaba mis botas, el suéter, los tapones para los oídos, la red para cabello, los guantes de plástico y los guantes de tela colocándolos en el locker.

17. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora de tomar el descanso para comer porque la línea se detenía 30 minutos mientras los empleados de producción y soporte por hora tomaban su descanso para comer.

19. Al inicio del descanso de 30 minutos para comer debía quitarme la bata, los guantes de tela y los guantes de plástico y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi bata. Después volvía a mi locker y guardaba los guantes de tela y los guantes de plástico. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

20. Después de comer recuperaba mi equipo del locker y regresaba a mi departamento. Debía esterilizar mis manos, agarrar mi bata, volverme a poner el equipo y regresar a mi estación exactamente en 30 minutos desde que salía de mi estación de trabajo para tomar los 30 minutos de comida o tendría problemas.

21. Me tardaba más en quitarme y lavar las botas, los guantes de plástico, los guantes de tela al final del día que durante el descanso para comer, porque al final del día el equipo se quedaría en mi locker a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de Noviembre 2009 en Reading Pennsylvania.


EDGARDO COLLAZO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
vs.)	
	)	DECLARATION OF AMADO
FARMERS PRIDE INC.,	)	CONTRERAS
)	
Defendant.)	
)	
)	

DECLARATION OF AMADO CONTRERAS

I, Amado Contreras, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately June 2002 until around March 2007. My job duties primarily consisted of removing the bone from the chicken with knives.
4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included gloves (mesh, cloth, and plastic), a plastic apron, cloth smock, earplugs, arm protector, hairnet and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, cloth gloves, plastic apron, arm protector, and boots. I then put on my boots in the locker area.
8. I would then carry my clothing and equipment and walk from the locker room to a supply window. I would get a new cloth smock, plastic gloves, earplugs, and hairnet and would exchange any damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.
9. I then put on outside of the supply window my cloth smock, plastic gloves, earplugs, hairnet, mesh gloves, cloth gloves, plastic apron, and arm protector.
10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

13. At the end of my shift I would take off my arm protector, plastic apron, cloth gloves, and mesh gloves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment. I also removed my plastic gloves, hairnet and earplugs.

14. After washing, I exited my department and walked towards the locker area. I placed my smock in a hamper located near the entrance of the Deboning department.

15. Once at my locker, I removed my boots. I then stowed in my locker my mesh gloves, cloth gloves, plastic apron, arm protector, and boots. I threw away my hairnet, earplugs, and plastic gloves.

16. I exchanged damaged equipment the following morning.

17. I then walked towards the time clock. I clocked out as I left the plant

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew it was time for a meal period because a bell would ring and the line would stop for exactly 30 minutes while hourly support and production employees took a meal period.

19. At the start of my 30-minute meal period I was required to take off my arm protector, plastic apron, cloth gloves, mesh gloves, plastic gloves, and cloth smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my arm protector, cloth gloves, mesh gloves, and plastic gloves at my workstation. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

21. It took longer to remove and wash my boots, arm protector, apron, cloth gloves, and mesh gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

AMADO CONTRERAS

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE AMADO
	)	CONTRERAS
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

358N 3ST LeBancou. PA. 17046

TESTIMONIO DE AMADO CONTRERAS

Amado Contreras

El que suscribe, Amado Contreras, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").
3. Desde aproximadamente junio del 2002 hasta marzo del 2007 trabajé en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania. Entre las responsabilidades de mi puesto se encontraban, principalmente, quitar el hueso del pollo con cuchillo.
4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían guantes (de malla, de tela y de plástico), un mandil de plástico, una bata de tela, tapones para los oídos, protector de antebrazos, red para el cabello y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Después de checar la entrada me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba los guantes de malla y los guantes de tela, el mandil de plástico, el protector de antebrazos y las botas. Procedía a calzar mis botas en el área de vestidores.
8. **Después llevaba mi ropa y el equipo desde los vestidores hasta la ventana de suministros. Recibía una bata de tela nueva, guantes de plástico, tapones para los oídos y**

red para el cabello e intercambiaba cualquier equipo dañado que estuviera en mi locker.

Casi siempre había fila para recoger el equipo en la ventana de suministros.

9. Posteriormente me pondría la bata de tela, los guantes de plástico, los tapones para los oídos, la red para el cabello, los guantes de malla, los guantes de tela, el mandil de plástico y el protector de antebrazos justo fuera de la ventana de suministros.

10. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.**

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Una vez vestido, listo para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio. Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.**

13. Al final de mi turno me quitaba el protector de antebrazos, el mandil de plástico, los guantes de tela, los guantes de malla y me formaba para usar una estación de lavado y lavarlos. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo.

Debía lavar y secar mi equipo. También me quitaba los guantes de plástico, la red para el cabello y los tapones para los oídos.

14. Después de lavarme salía de mi departamento hacia el área de vestidores. Colocaba mi bata en un contenedor para ropa sucia que se ubicaba cerca de la entrada del departamento de Deshuesado.

15. Una vez frente a mi locker, me quitaba las botas. Después dejaba en mi locker los guantes de malla, los guantes de tela, el mandil de plástico, el protector de antebrazos y las botas. Tiraba mi red para el cabello, los tapones para los oídos y los guantes de plástico.

16. Cambiaba el equipo dañado al día siguiente, en la mañana.

17. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente salía de la planta

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque sonaba un timbre y la línea se detenía durante exactamente 30 minutos mientras los empleados de soporte y producción por hora gozaban de un descanso para comer.

19. Al inicio de mi descanso de 30 minutos para comer debía yo quitarme el protector de antebrazos, el mandil de plástico, los guantes de tela, los guantes de malla, los guantes de plástico y la bata de tela y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi mandil y bata. Dejaba el protector de antebrazos, los guantes de tela, los guantes de malla, los guantes de plástico en mi estación de trabajo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

20. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

21. Me tardaba más en quitarme y lavar las botas, el protector de antebrazos, el mandil, los guantes de tela y los guantes de malla al final del día que durante el descanso para comer porque al final del día el equipo se quedaría en el locker a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de 10/9/ 2009 en Estado, Pennsylvania.

Amado Contreras

AMADO CONTRERAS

To: Rafael Contreras

From: Schneider Wallace

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**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE RAFAEL
	)	CONTRERAS
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE RAFAEL CONTRERAS

To: Rafael Contreras From: Schneider Wallace 11/10/2009 4:15:30 PM (Page 4 of 7)

El que suscribe, Rafael Contreras, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy ex empleado de Farmers Pride, Inc. ("Farmers Pride").

3. Desde aproximadamente junio de 2006 hasta alrededor de septiembre del 2007 trabajé como deshuesador en el departamento de Deshuesado de .

4. Aproximadamente ganaba \$9.32 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían, un mandil de plástico, una bata, guantes de plástico, guantes de malla, guantes de tela, un protector de antebrazos, una red para el cabello, una red para barba, tapones para los oídos, y botas de seguridad de goma. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar la entrada me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba el mandil de plástico, la bata, los guantes de malla, los guantes de tela, el protector de antebrazos y las botas. Me ponía las botas.

8. Posteriormente llevaba todo este equipo a la ventana de suministros. En la ventana de suministros recogía mis guantes de plástico, una red para el cabello, los tapones para los oídos y el equipo que estuviese en mi locker dañado. Casi siempre había fila para recoger el equipo en la ventana de suministros.

To: Rafael Contreras

From: Schneider Wallace

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9. Me dirigía a la cafetería. Después me ponía el mandil de plástico, la bata, los guantes de plástico, los guantes de malla, los guantes de tela, el protector de antebrazos, la red de cabello, la red de barba, los tapones para los oídos.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a llevar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

12. Una vez vestido, listo para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio. Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.

13. Al final de mi turno me quitaba el protector de antebrazos, el mandil de plástico, los guantes de malla, los guantes de tela y la bata de tela y me formaba para usar una estación de lavado y lavarlos. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento hacia mi locker. Frente a mi locker, me quitaba las botas. Después dejaba en mi locker el mandil de plástico, la bata, los guantes de

To: Rafael Contreras

From: Schneider Wallace

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mallá, los guantes de tela, el protector de antebrazos y las botas. Y tiraba los tapones para los oídos, los guantes de plástico y la red para el cabello.

15. Cambiaba el equipo dañado al día siguiente, en la mañana.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque los supervisores gritaban "descanso" y la línea se detenía durante exactamente 30 minutos para que los empleados de soporte y producción por hora tuvieran su descanso para comer.

18. Al inicio de mi descanso de 30 minutos para comer debía yo quitarme el protector de antebrazos, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes de malla, la bata de tela y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho para colgar el protector de antebrazos, el mandil, los guantes de tela, los guantes de malla, los guantes de plástico y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

20. Tardaba más en quitarme y lavar el protector de antebrazos, el mandil de plástico, las mangas, los guantes de tela, los guantes de malla y la bata al final del día que durante el descanso para comer porque al final del día todo el equipo se quedaría a pasar la noche dentro

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del locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de 11 2009 en Reading Pennsylvania.



RAFAEL CONTRERAS

I, Jacoba Ysabel Cuevas, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked as a Breast Deboner in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately March 2005 until around December 2006.
4. My job duties primarily consisted of removing the bones from the chicken.
5. I earned approximately \$9.25 per hour.

Donning/Doffing Equipment

6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, cloth apron, hairnet, cotton gloves, rubber gloves, mesh gloves, plastic sleeves, earplugs, arm protector, and rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.
7. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
8. After clocking in, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my arm protector, plastic sleeves, apron, mesh gloves, cotton gloves, and rubber boots that Farmers Pride required me to wear. I then put on my boots in the locker area.
9. After the locker area, I carried my clothing and protective equipment to a supply window. I would go to a supply window to get a new smock, rubber gloves, hairnet, earplugs, and to exchange any damaged equipment from my locker. There would always be a line to pick up my new equipment.
10. I would then go to the cafeteria where I would put on my smock, rubber gloves, hairnet, earplugs, mesh gloves, cloth gloves, plastic apron, and arm protector. I also put on any clothing and equipment that I exchanged at the supply window.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. Regardless of the order that I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.

13. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

14. At the end of my shift I would take off my arm protector, apron, sleeves, cotton gloves, and mesh gloves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment. I also removed my rubber gloves, hairnet, smock and ear plugs.

15. After washing, I exited my department and walked towards the locker area. I placed my smock in a hamper located near the entrance of the Deboning department.

16. Once at my locker, I removed my boots. I then stowed in my locker my arm protector, plastic sleeves, mesh gloves, cloth gloves, and rubber boots. I threw away my hairnet, earplugs, and rubber gloves.

17. I exchanged damaged equipment the following morning.

18. I then walked towards the time clock. I clocked out as I left the plant

Meal Period

19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would announce break and the line stopped for exactly 30 minutes while hourly support and production employees took a meal period.

20. At the start of my 30-minute meal period I was required to take off my arm protector, apron, sleeves, mesh gloves, cloth gloves, rubber gloves and cloth smock. I then had to find a hook to hang my equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

21. After eating lunch, I was required to sterilize my hands, retrieve and wash my arm protector, apron, sleeves, mesh gloves, cloth gloves, rubber gloves and cloth smock. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

22. It took longer to remove and wash my boots, arm protector, apron, sleeves, mesh gloves, and cloth gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JACOBA YSABEL CUEVAS

La que suscribe, Jacoba Ysabel Cuevas, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").
3. Desde aproximadamente marzo del 2005 hasta alrededor de diciembre del 2006 trabajé como deshuesadora de pechuga en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania.
4. Principalmente, las responsabilidades de mi puesto consistían en quitar el hueso del pollo.
5. Aproximadamente ganaba \$9.25 la hora.

Ponerse/Quitarse el Equipo

6. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, un mandil de tela, una red para cabello, guantes de algodón, guantes de goma, guantes de malla, mangas plásticas, tapones para los oídos, protector de antebrazos y botas de goma. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
7. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
8. Después de checar la entrada me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez ante mi locker, sacaba el protector de antebrazos, las mangas plásticas, el mandil, los guantes de malla, los guantes de algodón y las botas de goma que Farmers Pride me exigía usar. Procedía a calzar mis botas en el área de vestidores.
9. Después del área de vestidores, cargaba mi ropa y equipo de protección a una ventana de suministros. Ahí me daban una bata, guantes de goma, una red para cabello, nuevos

tapones para los oídos e intercambiaba cualquier equipo dañado que estuviera en el locker. Siempre había fila para recoger el equipo nuevo.

10. Posteriormente me dirigiría a la cafetería en donde me podía la bata, los guantes de goma, la red para cabello, los tapones para los oídos, los guantes de malla, los guantes de tela, el mandil de plástico y el protector de antebrazos. También me pondría cualquier prenda y equipo que intercambiaba en la ventana de suministros.

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Sin importar el orden en que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía yo estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Una vez vestida, listo para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

14. Al final de mi turno me quitaba el protector de antebrazos, el mandil, las mangas, los guantes de algodón, los guantes de malla y me formaría para utilizar una estación de lavado y lavarlo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo. También me quitaba los guantes de goma, la red para cabello, la bata y los tapones para los oídos.

15. Después de lavarme salía de mi departamento hacia el área de vestidores. Colocaba mi bata en un contenedor para ropa sucia que se ubicaba cerca de la entrada del departamento de Deshuesado.

16. Una vez frente a mi locker, me quitaba las botas. Posteriormente guardaba el protector de antebrazos, las mangas plásticas, los guantes de malla, los guantes de tela, las botas de goma en mi locker. Tiraba la red para el cabello, los tapones para los oídos y los guantes de goma.

17. Cambiaba el equipo dañado al día siguiente, en la mañana.

18. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente salía de la planta

Descansos para comer

19. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era la hora para el descanso para ir a comer porque mi supervisor anunciaría el descanso y la línea se detenía durante exactamente 30 minutos mientras que los empleados de soporte y producción por hora tomaban un descanso para comer.

20. Al empezar el descanso de 30 minutos para comer debía quitarme el protector de antebrazos, el mandil, las mangas, los guantes de malla, los guantes de tela, los guantes de goma y la bata de tela. Después debía encontrar un gancho donde colgar mi equipo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

21. Después de comer debía desinfectarme las manos, recoger y lavar el protector de antebrazos, el mandil, las mangas, los guantes de malla, los guantes de tela, los guantes de goma y la bata de tela. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después me volvía a poner el equipo y regresaba a mi estación de trabajo

exactamente 30 minutos después de salir de mi estación de trabajo para el descanso de 30 minutos para comer o estaría en problemas.

22. Me tardaba más en lavar las botas, los protectores de antebrazos, el mandil, las mangas, los guantes de malla y los guantes de tela al final del día que durante el descanso para comer porque al final del día el equipo se quedaba en el locker a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 12 días de 11 2009 en PA, Pennsylvania.


JACOBA YSABEL CUEVAS

I, Ivonne Fabian, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Evisceration Department at Farmers Pride in Fredericksburg, Pennsylvania from approximately 1999 until approximately May 2005. My job duties included removing guts and bad parts from the chicken as well as cutting the chickens open.
4. I earned approximately \$9.75 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included a hairnet, earplugs, a smock, plastic apron, plastic gloves, metal gloves, plastic sleeves, rubber slip on boots, and an arm protector. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the entrance to the plant.
7. When I arrived at Farmers Pride I would first go to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.
8. The locker area was crowded. It was common that I had to wait to get to my locker. Once at my locker I removed any damaged equipment that I needed to exchange prior to the start of my shift. I almost always removed my plastic gloves.
9. I then walked from my locker to a supply window. At the supply window I waited in line and picked up my smock and earplugs. I also exchanged damaged equipment from my locker such as new plastic gloves. There was almost always a line to pick up equipment at the supply window.
10. Next, I would walk to the time clock and clock in.
11. After clocking in, I would walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic

apron, metal gloves, plastic sleeves, hairnet, rubber slip on boots, and an arm protector. I then put on in the locker area my hairnet, earplugs, a smock, plastic apron, plastic gloves, metal gloves, plastic sleeves, rubber slip on boots, and an arm protector

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. After I was dressed and ready to work, I walked near the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.

14. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

15. At the end of my shift I would take off my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

16. After washing, I exited my department and walked towards the cafeteria. I removed my smock. I placed my cloth smock in a laundry bag located outside of the cafeteria. I threw away my earplugs.

17. I then walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my boots. I then

stowed in my locker my plastic apron, metal gloves, plastic sleeves, hairnet, rubber slip on boots, plastic gloves, and an arm protector.

18. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line would stop for exactly 30 minutes.

20. At the start of the 30-minute meal break I was required to take off my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, plastic gloves, metal gloves, plastic sleeves, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

21. After eating lunch, I retrieved my equipment, put my equipment back on and walked back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble. As we entered the department there was a supervisor making sure we were all clean.

22. It took longer to remove and wash my boots, arm protector, cloth gloves, plastic gloves, plastic sleeves, plastic apron and mesh gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____, 2009 in _____, Pennsylvania.

IVONNE FABIAN

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE IVONNE FABIAN
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE IVONNE FABIAN

La que suscribe, Ivonne Fabian, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en Farmers Pride en su departamento de Evisceración en la planta de Fredericksburg, Pennsylvania desde aproximadamente 1999 hasta aproximadamente mayo del 2005. Entre las obligaciones de mi puesto se encontraba retirar las vísceras y las partes dañadas del pollo así como abrirlos con un corte.

4. Aproximadamente ganaba \$9.75 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección dentro del Departamento de Eviscerado. Mi equipo y prendas de protección incluían una red para el cabello, tapones para los oídos, una bata, un mandil de plástico, guantes de plástico, guantes de metal, mangas plásticas, botas de goma sin cordones y un protector de antebrazos. Mis supervisores me pedían colocarme este equipo antes de que iniciar mi turno.

6. Cuando trabajé en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. En cuanto llegaba a Farmers me dirigía a mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. El área de vestidores estaba llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker, quitaba todo el equipo dañado que debía intercambiar antes de empezar mi turno. Casi siempre tiraba mis guantes de plástico.

9. Caminaba desde el área de vestidores hasta una ventana de suministros. Me formaba en la ventana de suministros para recoger mi bata y los tapones para los oídos. También intercambiaba el equipo que estaba dañado en mi locker por, digamos, guantes de plástico nuevos. Casi siempre había fila para recoger el equipo en la ventana de suministros.

10. Posteriormente caminaba hacia el reloj checador y checaba mi entrada.

11. Después de checar regresaba a mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. De regreso en mi locker sacaba el mandil de plástico, los guantes de metal, las mangas plásticas, la red para el cabello, las botas de goma sin cordones y un protector de antebrazos. Y en el área de vestidores me colocaba la red para el cabello, los tapones para los oídos, una bata, un mandil de plástico, los guantes de plástico, los guantes de metal, las mangas plásticas, las botas de goma sin cordones y un protector de antebrazos.

12. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

13. Una vez vestida y lista para trabajar, me acercaba hacia la entrada del departamento de evisceración y esperaba junto con mis compañeros a que nuestros supervisores nos dejaran entrar a nuestro departamento. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Los supervisores y empleados de Farmers Pride en ocasiones aprovechaban este tiempo para revisar y asegurarse de que nuestro equipo estaba limpio y bien puesto.**

14. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

15. Al final de mi turno me quitaba el mandil de plástico, los guantes de plástico, los guantes de metal, las mangas plásticas, el protector de antebrazos y me formaba para usar la

estación de lavado y lavar todo esto. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

16. Después del lavado, salía de mi departamento y me dirigía hacia la cafetería. Me quitaba mi bata. Colocaba la bata de tela en una bolsa para la lavandería que estaba fuera de la cafetería. Tiraba mis tapones para los oídos.

17. Posteriormente me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, me quitaba las botas. Después guardaba en mi locker el mandil de plástico, los guantes de metal, las mangas plásticas, la red para el cabello, las botas de goma sin cordones, los guantes de plástico y un protector de antebrazos.

18. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

19. Cuando Farmers Pride me contrató se me dijo que tendría un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. Mi descanso para comer duraba menos de 30 minutos. Sabía que era hora del descanso para comer porque mi supervisor lo anunciaba y la línea se paraba durante 30 minutos exactamente.

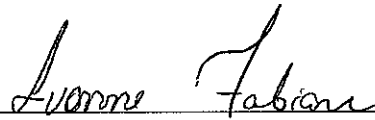
20. Al iniciar el descanso de 30 minutos para comer debía yo quitarme el mandil de plástico, los guantes de plástico, los guantes de metal, las mangas plásticas, el protector de antebrazos y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Tenía entonces que encontrar un gancho para colgar mi mandil de plástico, los guantes de plástico, los guantes de metal, las mangas plásticas y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

21. Después de comer agarraba mi equipo, me lo volvía a poner y regresaba a mi estación de trabajo en exactamente 30 minutos desde que la dejé para mi descanso de 30 minutos

para comer o estaría en problemas. A la entrada al departamento se encontraba nuestro supervisor revisando que estuviéramos todos limpios

22. Tardaba más en quitarme y lavar las botas, el protector de antebrazos, los guantes de tela, los guantes de plástico, las mangas plásticas, el mandil de plástico y los guantes de malla al final del día que durante el descanso de comer porque al final del día, el equipo se quedaría a pasar la noche en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de noviembre 2009 en Lebanon, Pennsylvania.

A handwritten signature in cursive script, reading "Ivonne Fabian", written over a horizontal line.

IVONNE FABIAN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF DIOMEDES A. FERNANDEZ

DECLARATION OF DIOMEDES A. FERNANDEZ

I, Diomedes A. Fernandez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Live Receiving department from approximately January 2004 to approximately September 2008. My job duties and responsibilities included hanging the chickens and packing chickens.
4. I earned approximately \$8.55 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Live Receiving department. My equipment and protective clothing included rubber slip on boots, cloth gloves, rubber gloves, smock, apron, plastic sleeves, earplugs, hairnet and beard net. My supervisors required me to put on this equipment prior to the start of my shift.
6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber slip on boots, apron, cloth gloves, and plastic sleeves. I also removed from my locker my rubber gloves, earplugs, hairnet, and beard net so I could exchange this equipment at the supply window. I then put my boots on in the locker room.
8. I would then carry my equipment and protective clothing from my locker to a supply window. At the supply window, I waited in line to pick up some additional gear that I needed before the start of my shift including a smock. I also exchanged equipment and picked up a new set of rubber gloves, earplugs, hairnet, and beard net. There was almost always a line to get equipment at the supply window.

9. I then put on outside of the supply window my cloth gloves, rubber gloves, smock, apron, plastic sleeves, earplugs, hairnet and beard net.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Live Receiving department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. Prior to late fall 2007, at the end of my shift I would get in line to use a wash station to remove and wash my cloth gloves, rubber gloves, apron, and plastic sleeves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and put my smock in a Farmers Pride hamper outside of the Live Receiving department.

15. I then walked to the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my boot, plastic sleeves, cloth gloves, rubber gloves, earplugs, hairnet, beard net and apron.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would yell "break" and the hourly support and production employees stopped working for exactly 30 minutes for the meal period.

18. At the start of my 30-minute meal period I was required to take off my cloth gloves, rubber gloves, apron, smock, plastic sleeves, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves, apron, smock, and plastic sleeves. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

20. It took longer to remove and wash my cloth gloves, rubber gloves, plastic gloves, sleeves, and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

DIOMEDES A. FERNANDEZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE DIOMEDES A.
	)	FERNANDEZ
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE DIOMEDES A. FERNANDEZ

El que suscribe, Diomedes A. Fernandez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en Farmers Pride en el departamento de Entregas en vivo aproximadamente desde enero del 2004 a aproximadamente septiembre del 2008. Mis obligaciones y responsabilidades incluían colgar los pollos y empacarlos.

4. Aproximadamente ganaba **\$8.55** por hora.

Ponerse/Quitarse el Equipo

5. En Farmers Pride tenía que usar equipo y prendas de protección en el departamento de Entregas en Vivo. Mi equipo y prendas de protección incluían botas de goma sin cordones, guantes de tela, guantes de goma, una bata, un mandil, mangas plásticas, tapones para los oídos, una red para el cabello y una red para la barba. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de checar me dirigía desde el reloj checador hasta el área de vestidores. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker sacaba mis botas de goma, el mandil, los guantes de tela y las mangas plásticas. También sacaba de mi locker los guantes de goma, los tapones para los oídos, la red para el cabello y la red para la barba para poder cambiar todo esto en la ventana de suministros. Procedía a calzar mis botas en el área de vestidores.

8. Después llevaba mi equipo y las prendas de protección desde mi locker a una ventana de suministros. Ya en la ventana de suministros me formaba y esperaba para recoger

equipo adicional que necesitara antes de iniciar mi turno, incluyendo una bata. También intercambiaba mi equipo y me daban un nuevo juego de guantes de goma, tapones para los oídos, una red para el cabello y una red para la barba. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Afuera de la ventana de suministros me ponía los guantes de tela, los guantes de goma, la bata, el mandil, las mangas plásticas, los tapones para los oídos, la red para el cabello y la red para la barba.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez vestido y listo para trabajar, caminaba hacia la entrada del departamento de Entregas en Vivo y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

13. Antes de finales del otoño de 2007, al final de mi turno me formaba para utilizar una estación de lavado para quitarme la bata, mis guantes de tela, guantes de goma, el mandil y las mangas plásticas. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después del lavado salía de mi departamento y colocaba mi bata en un contenedor para ropa sucia de Farmers Pride que estaba afuera del departamento de Entrega en Vivo.

15. Posteriormente me dirigía hacia el área de vestidores. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Procedía entonces a quitarme las botas. Guardaba en mi locker las botas, las mangas plásticas, los guantes de tela, los guantes de goma, los tapones para los oídos, la red para el cabello, la red para la barba y el mandil.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era la hora de comer porque mi supervisor gritaba “descanso” y los empleados de soporte y producción por hora dejaban de trabajar durante exactamente 30 minutos para tomar ese descanso.

18. Al principio de mi descanso para comer de 30 minutos debía yo quitarme los guantes de tela, los guantes de goma, el mandil, la bata, las mangas plásticas y lavarlo todo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis guantes de tela, los guantes de goma, el mandil, la bata y las mangas plásticas. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos para comer o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

20. Tardaba más en quitarme y lavar los guantes de tela, los guantes de goma, los guantes de plástico, las mangas y las botas al final del día que durante el descanso para comer porque al final del día este equipo se quedaría a pasar la noche dentro de mi locker. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de November 2009 en Berks, Pennsylvania.

Diomedes A. Fernandez
DIOMEDES A. FERNANDEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF ELBA GONZALEZ

DECLARATION OF ELBA GONZALEZ

I, Elba Gonzalez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee.

3. I have worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately June 2002 to the present. I inspect the chicken for bones or skin after it has passed through other workers on the production line.

4. I earn approximately \$10.65 per hour.

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included an arm protector, smock, mesh gloves, plastic gloves, cloth gloves, hairnet, earplugs, and slip-on rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the supply window. At the supply window I waited in line and picked up my smock, plastic gloves, and earplugs. There was almost always a line to pick up equipment at the supply window.

8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my arm protector, mesh gloves, cloth gloves, hairnet, and rubber slip on steel-toe boots. I then put on in the locker area my arm protector, smock, mesh gloves, plastic gloves, cloth gloves, hairnet, earplugs, and slip-on rubber boots.

9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would take off my arm protector, mesh gloves, cloth gloves, and smock and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department. I removed my smock and placed it in a laundry bag outside my department. I also removed and threw away the earplugs and plastic gloves.

14. I then walked towards the time clock. I then clocked out.

15. After clocking out, I walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my arm protector, mesh gloves, cloth gloves, hairnet, and boots.

16. I then left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a bell would sound and the line would stop for exactly 30 minutes while hourly production and support employees took a meal period.

18. At the start of my 30-minute meal period I was required to take off my arm protector, plastic gloves, cloth gloves, mesh gloves, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm protector, mesh gloves, plastic gloves, cloth gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

20. It took longer to remove and wash my arm protector, cloth gloves, mesh gloves and smock at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

ELBA GONZALEZ

TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE ELBA GONZALEZ

TESTIMONIO DE ELBA GONZALEZ

La que suscribe, Elba Gonzalez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Actualmente soy **empleada** de Farmers Pride, Inc. ("Farmers Pride").
3. He trabajado en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente junio de 2002 a la fecha. Inspecciono que no queden huesos o piel en el pollo después de haber pasado por otro proceso con los empleados de la línea de producción.
4. Aproximadamente gano \$10.65 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pide usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño de 2007, mi equipo y mis prendas de protección incluían un protector de antebrazos, bata, guantes de malla, guantes de plástico, guantes de tela, red para el cabello, tapones para los oídos y botas de goma sin cordones. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo pasando la puerta principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Antes de finales del otoño de 2007, después de checar me dirigía desde el reloj checador hasta la ventana de suministros. Me formaba en la ventana de suministros para recoger mi bata, los guantes de plástico y los tapones para los oídos. Casi siempre había fila para recoger el equipo en la ventana de suministros.
8. **Cargaba este equipo a mi locker en el área de vestidores.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba mi protector de antebrazos, los guantes de malla, los guantes de tela, la red para el cabello y las botas de seguridad de goma sin cordones.

Posteriormente me colocaba en el área de vestidores mi protector de antebrazos, la bata, los guantes de malla, los guantes de plástico, los guantes de tela, la red para el cabello, los tapones para los oídos y las botas de goma sin cordones.

9. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

10. Una vez vestida y lista para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio. Se me pidió limpiar mi equipo antes de entrar al departamento de Deshuesado.**

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar las prendas y el equipo de protección desde mi locker hasta la ventana de suministros para cambiarlo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Al final de mi turno, me quitaba el protector de antebrazos, los guantes de malla, los guantes de tela y la bata y me formaba para utilizar la estación de lavado y limpiar mi equipo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavarme salía de mi departamento. Me quitaba la bata y la colocaba en una bolsa de lavandería que se encontraba fuera de mi departamento. También me quitaba y tiraba los tapones para los oídos y los guantes de plástico.

14. Después me dirigía hacia el reloj checador y checaba mi salida.

15. Después de checar mi salida, me dirigía a mi locker. Frente a mi locker, me quitaba las botas. En mi locker guardaba mi protector de antebrazos, los guantes de malla, los guantes de tela, la red para el cabello y las botas.

16. Posteriormente salía de la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque sonaba una campana y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban el descanso para comer.

18. Al inicio de mi descanso de 30 minutos de comida, debía quitarme mi protector de antebrazos, los guantes de plástico, los guantes de tela, los guantes de malla y la bata, y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi protector de antebrazos, los guantes de malla, los guantes de plástico, los de tela y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

19. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

20. Me tardaba más quitándome y lavando mi protector de antebrazos, los guantes de tela, los guantes de malla y la bata al final del día que durante el descanso de comida porque al

final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre de 2009 en Piedras, Pennsylvania.

Elba Rilepa GONZALEZ
ELBA GONZALEZ

I, Evelin Hernandez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately April 2007 until around April 2008. My job duties primarily consisted of cutting the chicken breast in half.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included rubber slip on boots, gloves (cloth, rubber, and mesh), earplugs, arm protector, hairnet, cloth smock, and plastic apron. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, the time clock at Farmers Pride was just inside the main entrance to the plant. When I arrived at Farmers Pride I would almost always first clock in at the time clock. I would occasionally go to my locker first if there was a line at the time clock.

7. Prior to late fall 2007, after clocking in, I would walk to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, rubber gloves, cloth gloves, plastic apron, hairnet, arm protector, and rubber slip on boots. I then put on my boots.

8. After the locker area, I would go to a supply window to get a new smock, earplugs, and to exchange any damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.

9. I then walked from the supply window to the cafeteria. I put on in the cafeteria my cloth gloves, rubber gloves, mesh gloves, earplugs, arm protector, hairnet, cloth smock, and plastic apron.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. Prior to late fall 2007, after I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

13. At the end of my shift I would take off my plastic apron, cloth gloves, mesh gloves, rubber gloves and arm protector, and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my smock in a hamper located near the entrance of the Deboning department.

15. I then walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my boots, plastic apron, rubber gloves, cloth gloves, mesh gloves, hairnet and arm protector.

16. I almost always threw away my earplugs.

17. I exchanged damaged equipment the following morning.

18. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while hourly support and production employees took a meal period.

20. At the start of my 30-minute meal period I was required to take off my arm protector, plastic apron, cloth gloves, rubber gloves, mesh gloves, and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my arm protector and gloves at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

21. After eating lunch, I was required to wash my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

22. It took longer to remove and wash my boots, arm protector, apron, cloth gloves, rubber gloves, and mesh gloves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

EVELIN HERNANDEZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE EVELIN
	)	HERNANDEZ
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE EVELIN HERNANDEZ

La que suscribe, Evelin Hernandez, en este acto declaro lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Deshuesado en Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente abril de 2007 hasta alrededor de abril del 2008. Las responsabilidades de mi puesto consistían principalmente en cortar a la mitad la pechuga de pollo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y las prendas de protección incluían botas de goma sin cordones, guantes (de tela, de goma y de malla), tapones para los oídos, protector de antebrazos, red para el cabello, bata de tela y un mandil de plástico. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Antes de finales de otoño de 2007, el reloj checador de Farmers Pride se encontraba justo al pasar la entrada principal de la planta. Casi siempre, al llegar a Farmers Pride, me dirigía primero a checar mi entrada en el reloj checador. En ocasiones me dirigía primero al locker, cuando había fila en el reloj.

7. Antes de finales del otoño de 2007, después de checar me dirigía a mi locker en el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker sacaba los guantes de malla, los guantes de goma, los guantes de tela, el mandil de plástico, la red para el cabello, el protector de antebrazos, y las botas de goma sin cordones. Me ponía las botas.

8. Después del área de vestidores me dirigía a la ventana de suministros para obtener una bata nueva, tapones para los oídos e intercambiar cualquier equipo dañado que

estuviese en mi locker. Casi siempre había fila para recoger el equipo en la ventana de suministros.

9. Posteriormente caminaba desde la ventana de suministros a la cafetería. En la cafetería me colocaba los guantes de tela, los guantes de goma, los guantes de malla, los tapones para los oídos, el protector de antebrazos, la red para el cabello, la bata de tela y el mandil de plástico.

10. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas del cuarto de suministros eran más largas que en cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Antes de finales del otoño de 2007, una vez vestida y lista para trabajar me dirigía a la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio.** Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.

13. Al final de mi turno me quitaba **el mandil de plástico, los guantes de tela, los guantes de malla, los guantes de goma y el protector de antebrazos** y me formaba para usar

una estación de lavado y lavar todo esto. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme salía de mi departamento hacia el área de vestidores. Me quitaba mi bata. Colocaba mi bata en un contenedor para ropa sucia que se ubicaba cerca de la entrada del departamento de Deshuesado.

15. Posteriormente regresaba a mi locker. Frente a mi locker, me quitaba las botas. Entonces guardaba mis botas, **el mandil de plástico, los guantes de goma, los guantes de tela, los guantes de malla, la red para el cabello y el protector de antebrazos** en el locker.

16. Casi siempre tiraba mis tapones para los oídos.

17. Cambiaba el equipo dañado al día siguiente, en la mañana.

18. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

19. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso porque mi supervisor lo anunciaba y la línea se paraba durante exactamente 30 minutos mientras los empleados de producción y soporte por hora iban a comer.

20. Al empezar el descanso de 30 minutos para comer yo debía quitarme el protector de antebrazos, el mandil de plástico, los guantes de tela, los guantes de goma, los guantes de malla, la bata y lavar todo esto. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi mandil y bata. Dejaba el protector de antebrazos y mis guantes en mi estación. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

21. Después de comer debía yo lavar mis manos, recuperar mi equipo, volvérmelo a poner y regresar a mi estación de trabajo antes de que transcurrieran exactamente 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

22. Tardaba más en quitarme y lavar las botas, el protector de antebrazos, el mandil, los guantes de tela, los guantes de goma y los guantes de malla al final del día que durante el descanso para comer porque al final del día el equipo pasaba la noche en el locker. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los ____ días de 11-12 2009 en Reading, Pennsylvania.


EVELIN HERNANDEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF JOSE PEDRO HERNANDEZ

DECLARATION OF JOSE PEDRO HERNANDEZ

I, Jose Pedro Hernandez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately June 2005 until around June 2007. My job duties primarily consisted of cutting chicken breasts

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as a in the Deboning department. My equipment and protective clothing included a plastic apron, smock, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, arm protector, and slip-on boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I then went to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my slip on boots, arm protector, and mesh gloves, cloth gloves, and plastic apron. I then put on my slip on boots.

8. I would then carry my protective clothing and equipment and walk from the locker area to a supply window. At the supply window I waited in line and picked up my cloth apron, hairnet, earplugs, and exchanged any damaged equipment from my locker that I needed before the start of my shift such as my plastic gloves. There was almost always a line to pick up equipment at the supply room.

9. I then carried this equipment with me back to the locker area. I then put on at my locker the plastic apron, cloth smock, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, and arm protector.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

13. At the end of my shift I would take off my arm protector, plastic gloves, mesh gloves, and plastic apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked towards the supply window. I turned in my cloth apron at the supply window. I also removed and threw away the hairnet and earplugs.

15. After the supply room, I walked back to my locker. At my locker, I removed my boots. I then stowed my boots, arm protector, cloth gloves, plastic apron, plastic gloves, and mesh gloves in my locker.

16. I exchanged damaged equipment the following morning.

17. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would yell "break" and the line would stop moving for 30 minutes while the hourly support and production employees took a meal break.

19. At the start of my 30-minute meal period I was required to take off my arm protector, plastic gloves, mesh gloves, apron and smock and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I also removed my cloth gloves. I then had to find a hook to hang my arm protector, plastic gloves, mesh gloves, cloth gloves, apron and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor Nelson Gonzalez would give me a written warning.

21. It took longer to remove and wash my arm protector, plastic gloves, mesh gloves, cloth gloves, and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JOSE PEDRO HERNANDEZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE JOSE PEDRO HERNANDEZ

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El que suscribe, Jose Pedro Hernandez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Deshuesado de Farmers Pride in Fredericksburg, Pennsylvania desde aproximadamente junio de 2005 hasta alrededor de junio de 2007. Mis principales responsabilidades consistían en cortar las pechugas de pollo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían, un mandil de plástico, una bata, guantes de plástico, guantes de tela, guantes de malla, una red para el cabello, tapones para los oídos, el protector de antebrazos y botas sin cordones. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar la entrada **me dirigía a mi locker en el área de vestidores.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker sacaba las botas sin cordones, el protector de antebrazos y los guantes de malla, los guantes de tela y el mandil de plástico. Y me ponía las botas sin cordones.

8. Después llevaba el equipo y prendas de protección desde el área de vestidores a una ventana de suministros. En la ventana de suministros me formaba y esperaba para recoger un mandil de tela, una red para cabello, tapones para los oídos e intercambiar cualquier equipo

que estuviese dañado en el locker y que yo necesitara antes de comenzar el turno, tal como guantes de plástico. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. Posteriormente **llevaba el equipo de vuelta a mi locker. Posteriormente, frente a mi locker, me ponía** el mandil de plástico, la bata de tela, los guantes de plástico, los guantes de tela, los guantes de malla, la red para el cabello, los tapones para los oídos y el protector de antebrazos.

10. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.**

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

12. Una vez vestido, listo para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio. Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.**

13. Al finalizar mi turno me quitaba el protector de antebrazos, los guantes de plástico, los guantes de malla y el mandil de plástico y me formaba para utilizar una estación de

lavado y lavar todo esto. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarlo, salía de mi departamento y me dirigía hacia la ventana de suministros. Entregaba mi mandil de tela en la ventana de suministros. También me quitaba la red para el cabello y los tapones para los oídos y los tiraba.

15. Después del cuarto de suministros, regresaba a mi locker. Frente a mi locker, me quitaba las botas. Para después guardar las botas, el protector de antebrazos, los guantes de tela, el mandil de plástico, los guantes de plástico, los guantes de malla en el locker.

16. Cambiaba el equipo dañado al día siguiente, en la mañana.

17. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque los supervisores gritaban “descanso” y la línea se detenía durante 30 minutos mientras los empleados de soporte y producción por hora tomaban su descanso para comer.

19. Al empezar el descanso de 30 minutos para comer debía yo quitarme el protector de antebrazos, los guantes de plástico, los guantes de malla, el mandil y la bata y lavar todo esto. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. También me quitaba los guantes de tela. Después debía encontrar un gancho para colgar el protector de antebrazos, los guantes de plástico, los guantes de malla, los guantes de tela, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

20. Después de comer, debía esterilizar las manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que transcurrieran 30 minutos desde el

momento en que la dejaba para tomar el descanso o mi supervisor Nelson Gonzalez me entregaría una amonestación por escrito.

21. Tardaba más en quitarme y lavar el protector de antebrazos, los guantes de plástico, los guantes de malla, los guantes de tela, y el mandil al final del día que durante el descanso para comer porque al final del día el equipo se quedaba dentro del locker a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 13 días de November 2009 en Reading Pennsylvania.


JOSE PEDRO HERNANDEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF FELIX J. LOPEZ

DECLARATION OF FELIX J. LOPEZ

I, Felix J. Lopez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately February 2001 until around June 2005. My job duties primarily consisted of stacking boxes of chicken.

4. I earned approximately \$10.15 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, gloves (plastic and cloth), plastic apron, hairnet, earplugs, arm protector, and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I would then walk from the time clock to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my apron, hairnet, cloth and plastic gloves, and arm guard.

8. I then carried this equipment with me to the supply window. At the supply window I picked up my smock and earplugs and exchanged my plastic gloves, cloth gloves, and hairnet. There was almost always a line to pick up equipment at the supply room.

9. I then carried this equipment with me back to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I removed my boots. I then put on my smock, gloves (plastic and cloth), plastic apron, hairnet, earplugs, arm protector, and steel toe boots.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. At the end of my shift I would take off my arm protector, plastic gloves, cloth gloves and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department. I removed the smock. I placed my smock in a hamper just outside my department. I removed and threw away the earplugs. I walked back to my locker. At my locker, I removed my boots. I then stowed in my locker my steel-toe boots, apron, hairnet, cloth gloves, plastic gloves, and arm guard.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would yell "break" and the line stopped while hourly support and production employees had a 30-minute meal period.

16. At the start of my 30-minute meal period I was required to take off my arm protector, plastic and cloth gloves and apron and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, arm protector, gloves and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

18. It took longer to remove and wash my arm protector, plastic gloves, cloth gloves and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

FELIX J. LOPEZ

El que suscribe, Felix J. López, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").
3. Trabajé en el departamento de Deshuesado de desde aproximadamente febrero de 2001 hasta alrededor de junio de 2005. Mis obligaciones consistían principalmente en estibar cajas de pollo.
4. Aproximadamente ganaba \$10.15 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, guantes (de plástico y de tela) un mandil de plástico, una red para cabello, tapones para los oídos, protector de antebrazos, y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Después de checar, caminaba desde el reloj checador a **mi locker, en el área de vestidores**. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba el mandil, los guantes de tela y de plástico y el protector de antebrazo.
8. **Posteriormente cargaba todo este equipo** para llevarlo a la ventana de suministros. En la ventana de suministros recogía mi bata y unos tapones para los oídos e intercambiaba los guantes de plástico, los guantes de tela y la red para el cabello. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. **Cargaba todo este equipo de vuelta a mi locker, en el área de vestidores.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker me quitaba las botas. Procedía entonces a ponerme la bata, los guantes (de plástico y de tela), el mandil de plástico, la red para el cabello, los tapones de plástico, el protector de antebrazos y las botas de seguridad.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez vestido, listo para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Al final de mi turno me quitaba el protector de antebrazos, los guantes de plástico, los guantes de tela, y el mandil y me formaba para utilizar la estación de lavado y lavar todo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavar, salía de mi departamento. Me quitaba la bata. Colocaba mi bata en un contenedor de ropa sucia que se encontraba justo afuera de mi departamento. Me quitaba los tapones para los oídos y los tiraba. Regresaba a mi locker. Frente a mi locker, me quitaba las botas. Después guardaba en mi locker las botas de seguridad, el mandil, la red para el cabello, los guantes de tela, los guantes de plástico y el protector de antebrazos.

14. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

15. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me

daban para comer era menos de 30 minutos. Sabía que era hora la del descanso para comer porque los supervisores gritaban “descanso” y la línea se detenía mientras los empleados de soporte y producción por hora tenían un descanso para comer de 30 minutos.

16. Al principio del descanso de 30 minutos para comer debía yo quitarme el protector de antebrazos, los guantes de plástico y tela, el mandil y la bata. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi bata, el protector de antebrazos, los guantes y el mandil. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

17. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

18. Tomaba más tiempo en quitarme la bata, el protector de antebrazos, los guantes de plástico, los guantes de tela y el mandil al final del día que durante el descanso para comer, porque al final del día el equipo se quedaría a pasar la noche en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de Nov. 2009 en Reading, Pennsylvania.

Felix J. Lopez

FELIX J. LOPEZ

I, Julio A. Lopez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Cut-Up department from approximately January 2000 until approximately October 2004. I performed various tasks in the Cut-Up department including packaging finish product, cutting chicken, and hanging chickens.
4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Cut-Up department. My equipment and protective clothing included cloth gloves, plastic gloves, a smock, apron, mesh gloves, hairnet, plastic sleeves, arm protector, earplugs, and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.
7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.
8. I would walk to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, cloth gloves, mesh gloves, plastic sleeves, apron, plastic gloves, hairnet, arm protector, and earplugs. I then put on my boots.
9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged damaged equipment every day such as getting a new earplugs, or new gloves. There was almost always a line to get equipment at the supply window.
10. I then walked to the time clock and clocked in.

11. I then walked to the cafeteria. I then put on my cloth gloves, plastic gloves, a smock, apron, mesh gloves, hairnet, plastic sleeves, arm protector, and earplugs.

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisor Wanda and employees checked to make sure we had our equipment on properly and that our equipment was clean.

14. One day out of the week, we were required to get new equipment. As such, once a week, I put on my boots in the locker area. I then carried my cloth gloves, mesh gloves, plastic gloves, earplugs, hair net, arm protector, plastic sleeves, and apron to the supply window and exchanged all of my equipment. The lines at the supply window were longer than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

15. At the end of my shift I would take get in line to use a wash station to remove and wash my cloth gloves, mesh gloves, plastic gloves, plastic sleeves, arm protector, and plastic apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

16. After washing, I exited my department and placed my smock in a hamper near the exit of the department. I then walked to my locker. I removed and stowed in my locker my boots, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, arm protector, earplugs, and hairnet.

17. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.

19. At the start of the 30-minute meal break I was required to take off my smock, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protector and washed this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protectors. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

21. It took longer to remove and wash my boots, plastic sleeves, arm protector, cloth gloves, plastic gloves, mesh gloves, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JULIO A. LOPEZ

El que suscribe, Julio A. Lopez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Destazado de Farmers Pride desde aproximadamente enero de 2000 hasta aproximadamente octubre del 2004. Realicé varias tareas en el departamento de Destazado incluyendo empacar el producto terminado, destazar el pollo y colgar de pollo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me exigía usar equipo y prendas de protección en el departamento de Destazado. El equipo y prendas de protección incluían guantes de tela, guantes de goma, una bata, un mandil, guantes de malla, una red para el cabello, mangas plásticas, un protector de antebrazos, tapones para los oídos y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme hacia mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. Posteriormente me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker sacaba las botas, los guantes de tela, los guantes de malla, las mangas plásticas, el mandil, los guantes de plástico, la red para el cabello, el protector de antebrazos y los tapones par los oídos. Me ponía las botas.

9. Posteriormente caminaba desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger equipo adicional que necesitara antes de

iniciar mi turno. Recogía una bata limpia y todos los días intercambiaba el equipo dañado tal como tapones para los oídos o guantes nuevos. Casi siempre había fila en la ventana de suministros para recibir el equipo.

10. Y entonces me dirigía al reloj para checar mi entrada.

11. Me dirigía a la cafetería. Después me ponía los guantes de tela, los guantes de plástico, una bata, un mandil, los guantes de malla, la red para el cabello, las mangas plásticas, el protector de antebrazos y los tapones para los oídos.

12. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

13. Una vez vestido y listo para trabajar, me dirigía a la entrada del departamento de destazado y esperaba, junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo la supervisora Wanda y empleados de Farmers Pride nos revisaban para asegurarse que nuestro equipo estaba bien puesto y que estaba limpio.**

14. Un día a la semana debíamos recibir equipo nuevo. Así, una vez a la semana, me calzaba las botas en el área de vestidores. Posteriormente cargaba los guantes de tela, los guantes de malla, los guantes de plástico, los tapones para los oídos, la red para el cabello, el protector de antebrazos, los guantes de plástico y el mandil a la ventana de suministros y cambiaba todo mi equipo. Las filas en la ventana de suministro eran más larga ese día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

15. Al final de mi turno me formaba para usar una estación de lavado para quitarme y lavar los guantes de tela, los guantes de malla, los guantes de plástico, las mangas plásticas, el protector de antebrazos y el mandil de plástico. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

16. Después de lavar, salía del departamento y colocaba mi bata en un contenedor de ropa sucia cerca de la salida del mismo. Y me dirigía a mi locker. Me quitaba y guardaba las botas, el mandil, los guantes de malla, los guantes de goma, las mangas plásticas, el protector de antebrazos, los tapones para los oídos y la red para el cabello en el locker.

17. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban su descanso de 30 minutos.

19. Al iniciar el descanso de 30 minutos para comer debía quitarme la bata, el mandil, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas y el protector de antebrazos y lavarlo todo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Posteriormente debía encontrar un gancho para colgar la bata, el mandil, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas y los protectores de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

20. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para comer o mi supervisor me diría que tomaba mucho tiempo para regresar a trabajar.

21. Tardaba más en quitarme y lavar las botas, las mangas plásticas, el protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes de malla y el mandil al final

del día que durante el descanso para comer porque al final del día el equipo se quedaba en el locker y en el cuarto de suministros, y ahí pasaba la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 16 días de 11 2009 en Lebanon Pennsylvania.


JULIO A. LOPEZ

I, William Lopez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Evisceration Department at Farmers Pride in Fredericksburg, Pennsylvania from approximately October 2003 until approximately July 2006. My job duties and responsibilities consisted of removing guts and bad parts from the chicken.

4. I earned approximately \$8.25 to \$9.95 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included hairnet, earplugs, a smock, beard net, plastic apron, plastic gloves, cloth gloves, rubber slip on boots, mesh gloves and an arm protector. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic gloves, cloth gloves, hairnet, beard net, plastic apron, and arm protector.

9. I then carried this equipment with me to a supply window. At the supply window I waited in line and picked up my smock and earplugs. I would also exchange damaged equipment from my locker. There was almost always a line to pick up equipment at the supply window.

10. I then carried this equipment with me back to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took

out my boots. I then put on at my locker my hairnet, earplugs, smock, beard net, plastic apron, plastic gloves, cloth gloves, rubber slip on boots, mesh gloves and an arm protector.

11. After I had on all of my protective clothing and equipment and was ready to work, I would clock in by the entrance of the plant.

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. After I was dressed and ready to work and had clocked in, I walked near the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.

14. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

15. At the end of my shift I would take off my plastic apron, plastic gloves, cloth gloves, mesh gloves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

16. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my cloth smock in a laundry bag located outside of the locker area. I threw away my earplugs.

17. The locker room was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed in my locker my mesh gloves, plastic gloves, cloth gloves, hairnet, beard net, plastic apron, boots and arm protector.

18. I exchanged damaged equipment the following morning.

19. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

20. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the line would stop for 30 minutes.

21. At the start of the 30-minute meal break I was required to take off my smock, plastic gloves, cloth gloves, mesh glove, arm protector, and my plastic apron and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, cloth gloves, apron, smock, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

22. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

23. It took longer to remove and wash my boots, arm protector, cloth gloves, plastic gloves, plastic apron and mesh gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

William Lopez

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE WILLIAM LOPEZ

TESTIMONIO DE WILLIAM LOPEZ

El que suscribe, William Lopez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Evisceración de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente octubre de 2003 hasta aproximadamente julio de 2006. Mis obligaciones y responsabilidades consistían en quitar las vísceras y las partes dañadas del pollo.

4. Aproximadamente ganaba de \$8.25 a \$9.95 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección dentro del Departamento de Eviscerado. Mi equipo y prendas de protección incluían, red para el cabello, tapones para los oídos, una bata, red para la barba, un mandil de plástico, guantes de plástico, guantes de tela, botas de goma sin cordones, guantes de malla y un protector de antebrazos. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme hacia mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba los guantes de malla, los guantes de plástico, los guantes de tela, la red para el cabello, la red para la barba, el mandil de plástico y el protector de antebrazos.

9. Posteriormente llevaba todo este equipo a la ventana de suministros. Me formaba en la ventana de suministros para recoger mi bata y tapones para los oídos. También cambiaba el

equipo dañado que estaba en mi locker. Casi siempre había fila para recoger el equipo en la ventana de suministros.

10. **Posteriormente cargaba el equipo de vuelta a mi locker.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker me quitaba las botas. Procedía a colocarme la red para el cabello, los tapones para los oídos, la bata, la red para la barba, el mandil de plástico, los guantes de plástico, los guantes de tela, las botas de goma sin cordones, los guantes de malla y el protector de antebrazos en el locker.

11. Una vez que tenía puesto todo el equipo y prendas de protección y estaba listo para trabajar, checaba en la entrada de la planta.

12. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

13. Una vez vestido y listo para trabajar y después de checar, me dirigía hacia la entrada del departamento de evisceración y esperaba junto con mis compañeros para que nuestros supervisores nos dejaran entrar a nuestro departamento. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Los supervisores y empleados de Farmers Pride en ocasiones aprovechaban este tiempo para revisar y asegurarse de que nuestro equipo estaba limpio y bien puesto.**

14. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana, antes de que empezara mi turno, me calzaba las botas en el vestidor. Procedía a cargar todas las prendas y el equipo de protección que me asignaban desde mi locker hasta el cuarto de suministros para intercambiarlo todo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

15. Al final de mi turno me quitaba el mandil de plástico, los guantes de plástico, los guantes de tela, los guantes de malla y el protector de antebrazos y me formaba para utilizar una estación de lavado y lavar el equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

16. Después de lavarme salía de mi departamento hacia el área de vestidores. Me quitaba mi bata. Colocaba la bata de tela en una bolsa para lavandería que estaba fuera del área de vestidores. Tiraba mis tapones para los oídos.

17. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Me quitaba las botas. Después guardaba los guantes de malla, los guantes de plástico, los guantes de tela, la red para el cabello, la red para la barba, el mandil de plástico, las botas y el protector de antebrazos en mi locker.

18. Cambiaba el equipo dañado al día siguiente, en la mañana.

19. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

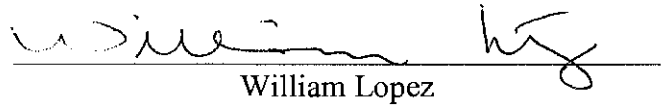
20. Cuando Farmers Pride me contrató se me dijo que tendría un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. Mi descanso para comer duraba menos de 30 minutos. Sabía que era la hora del descanso para comer porque mi supervisor daba el anuncio y la línea se detenía durante 30 minutos.

21. Al iniciar el descanso de 30 minutos yo debía quitarme la bata, los guantes de plástico, los guantes de tela, los guantes de malla, el protector de antebrazos y el mandil de plástico y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Posteriormente debía encontrar un gancho para colgar los guantes de plástico, los guantes de malla, los guantes de tela, el mandil, la bata y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

22. Después de comer debía esterilizar mis manos, agarrar mi equipo, volvérmelo a poner y regresar a mi estación de trabajo en exactamente 30 minutos desde que la dejé para mi descanso o estaría en problemas.

23. Me tardaba mas quitarme y lavar las botas, el protector de antebrazos, los guantes de tela, los guantes de plástico, el mandil de plástico, los guantes de malla al final del día que durante el descanso para comer porque al final del día el equipo pasaría la noche dentro del locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de noviembre 2009 en Reading, Pennsylvania.


William Lopez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF CESAR R. MATEO

DECLARATION OF CESAR R. MATEO

I, Cesar R. Mateo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Evisceration Department at Farmers Pride in Fredericksburg, Pennsylvania from approximately the beginning of 2004 until approximately November 2007. My job duties and responsibilities consisted of cutting the chickens with scissors, removing guts and hanging chickens.
4. I earned approximately \$8.90 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, a hairnet, smock, beard net, plastic sleeves, plastic apron, ear protector, slip on boots, mesh gloves, and knife sharpener. I put on this equipment prior to the start of my shift. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my hairnet, smock, beard net, plastic sleeves, and ear protector. If my plastic gloves were broken I would get new ones. There was almost always a line to pick up equipment at the supply window.
8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, knife sharpener, plastic apron, plastic gloves, and boots. I then put on in the locker area my plastic gloves, a hairnet, smock, beard net, plastic sleeves, plastic apron, ear protector, slip on boots, mesh gloves, and knife sharpener.

9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to a break room near the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. I then walked to my workstation in the Evisceration Department.

12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried my mesh gloves, plastic gloves, and plastic apron to the supply window to exchange for new equipment. There I also got my new daily equipment such as my hairnet, smock, beard net, plastic sleeves, ear protector. The lines at the supply room were longer than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my plastic gloves, mesh gloves, plastic apron and plastic sleeves and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and placed my smock in a hamper near the exit of the department. I then walked towards the locker area. I tossed my hairnet, ear protector, and beard net in a laundry bag located outside of the supply room.

15. I then walked from the supply area to my locker. The locker room was often crowded. It was common that I had to wait to get to my locker. I removed my boots. I then stowed my mesh glove, plastic gloves, knife sharpener, plastic sleeves, plastic apron, and boots in my locker.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because my supervisor would make an announcement and the last chicken would come down the line. The line started again exactly 30 minutes after it stopped.

18. At the start of the 30-minute meal break I was required to take off my smock, plastic apron, plastic sleeves, and gloves (mesh and plastic) and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, plastic apron, plastic sleeves, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch. There were numerous times that I received warning for not being quick enough to be completely ready in this 30 minutes timeframe.

20. It took longer to remove and wash my boots, plastic apron, plastic sleeves, and gloves (mesh and plastic) at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

CESAR R. MATEO

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE CESAR R. MATEO

TESTIMONIO DE CESAR R. MATEO

El que suscribe, Cesar R. Mateo, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Evisceración en Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente inicios del 2004 hasta aproximadamente noviembre del 2007. Entre las obligaciones y responsabilidades de mi trabajo estaba cortar pollo con tijera, remover vísceras y colgar el pollo.

4. Aproximadamente ganaba \$8.90 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección dentro del Departamento de Eviscerado. Antes de finales de otoño del 2007 el equipo y prendas de protección incluían guantes de plástico, una red para cabello, una bata, una red para la barba, mangas plásticas, un mandil de plástico, un protector para los oídos, botas sin cordones, guantes de malla y un afilador de cuchillos. Me ponía el equipo antes de que empezara mi turno. Mis supervisores me pedían colocarme este equipo antes de que iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar, caminaba desde el reloj checador y me dirigía a la ventana de suministros. En la ventana de suministros me formaba para esperar y recibía la red para el cabello, la bata, una red para la barba, mangas plásticas y protectores para los oídos. Si mis guantes de plástico estaban rotos me daban nuevos. Casi siempre había fila en el lavabo para recoger el equipo en la ventana de suministros.

8. **Cargaba este equipo a mi locker, en el área de vestidores.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi

locker. Una vez frente a mi locker me quitaba los guantes de malla, el afilador de cuchillos, el mandil de plástico, los guantes de plástico y las botas. Y en el área de vestidores me ponía los guantes de plástico, una red para el cabello, la bata, una red para la barba, las mangas plásticas, el mandil de plástico el protector de oídos, las botas sin cordones, los guantes de malla y el afilador de cuchillos.

9. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.**

10. Una vez vestido y listo para trabajar me dirigía a una sala de descanso cerca de la entrada del departamento de Evisceración y esperaba junto con mis compañeros a que nuestros supervisores nos dejaran entrar. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

11. Caminaba hacia mi estación de trabajo dentro del departamento de Evisceración.

12. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana, antes de que empezara mi turno, me calzaba las botas en el vestidor. Llevaba los guantes de malla, los guantes de plástico y el mandil de plástico a la ventana de suministros para intercambiarlos por equipo nuevo. También me daban el equipo nuevo, todos los días, tal como red para el cabello, la bata, la red para la barba, mangas plásticas y protectores para los oídos. Las filas en el cuarto de suministros eran más largas ese día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

13. Al final de mi turno me quitaba los guantes de plástico, los guantes de malla, el mandil de plástico y las mangas plásticas y me formaba para usar una estación de lavado y lavar el equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía del departamento y colocaba mi bata en un contenedor de ropa sucia cerca de la salida del mismo. Para después caminar hacia el área de vestidores. Echaba la red para el cabello, el protector de oídos y la red para la barba en una bolsa de lavandería que estaba fuera del cuarto de suministros.

15. Posteriormente caminaba desde el área de suministros hasta mi locker. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Me quitaba las botas. Procedía entonces a guardar los guantes de malla, los guantes de plástico, el afilador de cuchillos, las mangas plásticas, el mandil de plástico y las botas en mi locker.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando Farmers Pride me contrató se me dijo que tendría un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. Mi descanso para comer duraba menos de 30 minutos. Sabía que era hora del descanso para comer porque mi supervisor lo anunciaba y llegaba en la línea el último pollo. La línea volvía a empezar a operar exactamente en 30 minutos de haberse detenido.

18. Al inicio del descanso para comer de 30 minutos debía yo quitarme la bata, el mandil de plástico, las mangas plásticas, los guantes (de malla y de plástico) y lavar este equipo. También debía lavar mis botas. Casi siempre había fila para lavar el equipo. Después tenía que encontrar un gancho para colgar los guantes de plástico, los guantes de malla, el mandil de plástico, las mangas plásticas y lavarlo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo. En numerosas ocasiones me levantaron un reporte

por no ser lo suficientemente rápido para estar completamente listo en este descanso de 30 minutos

20. Tomaba más tiempo quitarme y lavar las botas, el mandil de plástico, las mangas plásticas y los guantes (de malla y plástico) al final del día que durante el descanso para comer porque al final del día el equipo se quedaba dentro del locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre 2009 en READING Pennsylvania.



CESAR R. MATEO

I, Elsy E. Melgar, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately July 2002 until about June 2004. I worked primarily as a Trimmer in the Deboning department.
4. Matthew was one of my supervisors. I do not recall his last name.
5. I earned approximately \$9.25 per hour.

Donning/Doffing Equipment

6. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, metal gloves, white cloth gloves, plastic gloves, protective glasses, earplugs, a hairnet, a plastic apron, plastic sleeves, and steel-toe rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.
7. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
8. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my metal gloves, cloth gloves, safety glasses, plastic apron, plastic sleeves and boots. I then put on my boots in the locker area.
9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, plastic gloves, earplugs, hairnet, and exchanged any damaged equipment. There was always a line to get equipment at the supply window.
10. I then walked to the entrance of my department where I was required to line up with my co-workers. While I waited at the entrance of my department prior to the start of my

shift, I put on my smock, metal gloves, white cloth gloves, plastic gloves, protective glasses, earplugs hairnet, plastic apron, and plastic sleeves. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean and complete.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply area all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply area were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my cloth gloves, metal gloves, plastic gloves, protective glasses, plastic apron, and sleeves and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I walked to the locker area. I removed my smock and placed my smock in a laundry bag outside my department. Once at my locker I removed my boots. I stowed in my locker my boots, sleeves, plastic apron, protective glasses, cloth gloves, plastic gloves and metal gloves. I occasionally threw away my plastic gloves, earplugs, and hairnet.

15. I picked up new equipment the following morning.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an

announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.

18. At the start of my 30-minute meal period I was required to take off my cloth gloves, metal gloves, plastic gloves, protective glasses, plastic apron, smock and plastic sleeves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang this equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I retrieved my equipment and returned to my department. I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

20. It took longer to remove and wash my boots, cloth gloves, plastic gloves, metal gloves, plastic apron, protective glasses, plastic apron, and plastic sleeves at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

ELSY E. MELGAR

La que suscribe, Elsy E. Melgar, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el Departamento de Deshuesado de Farmers Pride en Farmers Pride in Fredericksburg, Pennsylvania desde aproximadamente julio de 2002 hasta junio de 2004.

Principalmente trabajé como cortadora en el Departamento de Deshuesado.

4. Matthew era uno de mis supervisores. No recuerdo su apellido

5. Aproximadamente ganaba \$9.25 la hora.

Ponerse/Quitarse el Equipo

6. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían, una bata, guantes de metal, guantes blancos de tela, guantes de plástico, lentes protectores, tapones para los oídos, una red para cabello, un mandil de plástico, mangas plásticas y botas de goma de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

7. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

8. Una vez checada mi entrada, caminaba desde el reloj checador hasta mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba los guantes de metal, los guantes de tela, los lentes de seguridad, el mandil de plástico, las mangas plásticas y las botas. Procedía a calzar mis botas en el área de vestidores.

9. Posteriormente caminaba desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger equipo adicional que necesitara antes de iniciar mi turno. Recogía una bata limpia, guantes de plástico, tapones para los oídos e

intercambiaba cualquier equipo que estuviera dañado. Siempre había fila en la ventana de suministros para recibir equipo.

10. Posteriormente me dirigía a la entrada de mi departamento en donde debía formarme junto con mis compañeros. Mientras esperaba ahí, antes de empezar el turno, me ponía la bata, los guantes de metal, los guantes blancos de tela, los guantes de plástico, los lentes de protección, los tapones para los oídos, la red para el cabello, el mandil de plástico y las mangas plásticas. **Durante esos minutos, los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que traíamos el equipo bien puesto y que estaba limpio y completo.**

11. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

12. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a llevar todas las prendas y equipo de protección desde mi locker al área de suministros para intercambiar todo ese equipo. Ese día de la semana, las filas del área de suministros eran más largas que de costumbre. Regularmente, ese día yo llegaba más temprano que de costumbre para asegurarme de contar con suficiente tiempo para recoger las prendas y el equipo de protección y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Al final de mi turno me quitaría los guantes de tela, los guantes de metal, los guantes de plástico, los lentes de protección, el mandil de plástico y las mangas plásticas y me formaba para utilizar una estación de lavado y lavar todo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme me dirigía al área de vestidores. Me quitaba la bata y la ponía en una bolsa para la lavandería, afuera de mi departamento. Cuando llegaba a mi locker me quitaba las botas. Ahí guardaba las botas, las mangas, el mandil de plástico, los lentes de

protección, los guantes de tela, los guantes de plástico y los guantes de metal. En ocasiones tiraba los guantes de plástico, los tapones para los oídos y la red para el cabello.

15. La siguiente mañana recogía equipo nuevo.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor lo anunciaba y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

18. Al principio del descanso de 30 minutos para comer debía quitarme los guantes de tela, los guantes de metal, los guantes de plástico, los lentes de protección, el mandil de plástico, la bata y las mangas plásticas y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar este equipo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer recuperaba mi equipo y regresaba a mi departamento. Debía esterilizar mis manos, recuperar mi equipo, volverme a poner el equipo y regresar a mi estación exactamente en 30 minutos desde que salía de mi estación de trabajo para tomar los 30 minutos de comida o tendría problemas.

20. Me tardaba más en quitarme y lavar las botas, los guantes de tela, los guantes de plástico, los guantes de metal, el mandil de plástico, los lentes de protección, el mandil de plástico y las mangas plásticas al final del día que durante el descanso para comer, porque al final del día el equipo pasaría la noche en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre 2009 en Reading, Pennsylvania.



ELSY E. MELGAR

I, Herald Mercado, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Deboning department from approximately May 2004 until approximately September 2006. I performed various tasks in the Deboning department including removing chickens from coolers and sending chickens to different departments.
4. I earned approximately \$9.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning department. My equipment and protective clothing included earplugs, a hairnet, gloves (cloth and rubber), steel-toed boots, and a cloth smock. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber gloves, cloth gloves, earplugs, hairnet, and steel-toed boots. I then put on my boots in the locker room.
8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged any damaged equipment from my locker. There was almost always a line to get equipment at the supply window.
9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees occasionally checked to make sure we had our equipment on properly and that our equipment was clean.

12. At the end of my shift I would get in line to use a wash station to remove and wash my cloth gloves and rubber gloves. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I walked towards the locker area. I then placed my smock in a laundry bag outside of the Deboning department. Once I arrived at the locker area, I removed my boots. I then stowed in my locker my cloth gloves, rubber gloves, earplugs, hairnet and rubber boots.

14. I exchanged damaged equipment the following morning.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for 30 minutes while the hourly production and support employees took a 30-minute break.

17. At the start of the 30-minute meal period I was required to take off my cloth gloves, rubber gloves and smock and clean this equipment. There was always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my boots, cloth gloves, and rubber gloves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 13 day of November 2009 in Lebanon Pennsylvania.

Harold Mercado
HAROLD MERCADO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
vs.)	
	)	DECLARATION OF GLEN J.
FARMERS PRIDE INC.,	)	MITTERMEIER
)	
Defendant.)	
)	
)	

DECLARATION OF GLEN J. MITTERMEIER

I, Glen J. Mittermeier, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Cut-Up department from approximately December 2003 until approximately June 2004. My job duties and responsibilities consisted of packing product and separating the livers and the hearts.
4. I earned approximately \$ 9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cotton and rubber), steel-toe boots, a plastic apron, hairnet, beard net, a smock, hardhat and a sweatshirt. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I walked from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber gloves, cotton gloves, earplugs, hair net, hardhat, beard net, plastic apron, sweatshirt and steel-toe boots. I then put on my boots in the locker room.
8. I then walked from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.
9. I then walked back to my locker and put on my smock, hardhat, plastic apron, sweatshirt, rubber gloves, cotton gloves, earplugs, hair net, and beard net.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried my rubber gloves, cotton gloves, earplugs, hair net, hardhat, beard net, and plastic apron to the supply room and exchanged all of my equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my gloves (cotton and rubber), smock, hardhat, and plastic apron and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my hardhat, cotton gloves, rubber gloves, plastic apron, earplugs, hairnet, beard net and boots. I exchanged damaged equipment the next morning.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal break.

17. At the start of my 30-minute meal period I was required to take off my plastic apron, smock, hardhat, and gloves (cotton and rubber) and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron, smock, hardhat and gloves (cotton and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my boots, apron, smock, hard hat and gloves (cotton and rubber) after my shift was over than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 5 day of November 2009 in

(2009) Pennsylvania.

EBWON


GLEN J. MITTERMEIER

DECLARATION OF MAYRA C. MONTALVO

I, Mayra C. Montalvo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Breast Deboning department from approximately April 2003 through April 2009. My job duties and responsibilities primarily consisted of cutting and cleaning chicken.
4. I earned approximately \$ 9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic apron, earplugs, plastic gloves, cloth gloves, hairnet, arm protectors, plastic sleeves, metal gloves and slip on rubber boots. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh/metal glove, cloth gloves, plastic apron, arm protector, plastic sleeves, hairnet, plastic gloves, and boots. I put on my boots in the locker room.
8. I would then walk from the time clock to a supply window. At the supply room I picked up my smock, earplugs, and exchanged my plastic gloves. There was almost always a line to pick up equipment at the supply room.
9. I then carried this equipment with me back to my locker. I then put on in the locker area my smock, plastic apron, earplugs, plastic gloves, cloth gloves, hairnet, arm protectors, plastic sleeves, and metal glove.

10. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply area were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

11. Regardless of what order I did the activities above, my supervisors Adelaide, Jose Luis or Romulo told me that I was required to be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and stood in line with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

13. At the end of my shift I would take off my plastic apron, cloth gloves, plastic gloves, plastic sleeves, mesh gloves, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and put my smock on a hamper by the exit of my department. Then I went to my locker where I stowed out my mesh gloves, cloth gloves, plastic apron, arm protector, plastic sleeves, plastic gloves, hairnet, and boots. I threw away my earplugs.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew that it was time for a meal period because my supervisor Adelaide, Jose Luis or Romulo would yell "break" and the line stopped for 30 while the hourly production and support employees took a meal period.

17. At the start of my 30-minute meal period I was required to take off my smock, plastic apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock, plastic apron, cloth gloves, plastic gloves, mesh gloves, plastic sleeves and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my plastic apron, mesh gloves, cloth gloves, plastic gloves, plastic sleeves, boots and arm protector at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MAYRA C. MONTALVO

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE MAYRA C.
	)	MONTALVO
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MAYRA C. MONTALVO

La que suscribe, Mayra C. Montalvo, en este acto manifiesto lo siguientes:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").
3. Trabajé en Farmers Pride en el departamento de Deshuesado de Pechuga desde aproximadamente abril del 2003 hasta abril del 2009. Mis obligaciones y responsabilidades de trabajo incluían en corte y limpieza del pollo.
4. Aproximadamente ganaba \$ 9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales de otoño del 2007 mi equipo y prendas de protección incluían una bata, un mandil de plástico, tapones para los oídos, guantes de plástico, guantes de tela, una red para el cabello, protectores de antebrazos, mangas plásticas, guantes de metal y botas de goma sin cordones. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Después de checar la entrada caminaba desde el reloj checador hasta el **área de vestidores**. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente mi locker sacaba los guantes de malla/metal, los guantes de tela, el mandil de plástico, el protector de antebrazos, las mangas plásticas, la red para cabello, los guantes de plástico y las botas. Procedía a calzar mis botas en el cuarto de vestidores.
8. Posteriormente procedía a caminar desde el reloj checador hasta una ventana de suministros. En el cuarto de suministros recogía mi bata, los tapones para los oídos e

intercambiaba lo guantes de plástico. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. **Posteriormente cargaba el equipo de vuelta a mi locker.** Después en el área de vestidores me ponía la bata, el mandil de plástico, los tapones de los oídos, los guantes de plástico, los guantes de tela, la red para el cabello, los protectores de antebrazos, las mangas plásticas, y los guantes de metal.

10. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y el equipo de protección que me asignaban desde mi locker hasta el cuarto de suministros para intercambiarlo todo. Ese día de la semana, las filas del área de suministros eran más largas que de costumbre. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

11. **Sin importar el orden que siguiera para hacer las actividades antes mencionadas, mis supervisores Adelaide, Jose Luis o Romulo me pidieron estar lista y preparada para trabajar antes de empezar mi turno.**

12. Una vez vestida, lista para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

13. A final de mi turno me quitaba el mandil de plástico, los guantes de tela, los guantes de plástico, las mangas plásticas, los guantes de malla y el protector de antebrazos y me formaba para utilizar una estación de lavado y lavar este equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento y ponía la bata en un contenedor para la lavandería cerca de la salida del mismo. Posteriormente me dirigía de mi locker en donde metía los guantes de malla, los guantes de tela, el mandil de plástico, el protector de antebrazos, las mangas plásticas, los guantes de plástico, la red para el cabello y las botas. Tiraba mis tapones para los oídos.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descanso para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisora, Adelaida, Jose Luis o Romulo gritaban “descanso” y la línea se detenía durante 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso de comida.

17. Al empezar el descanso de 30 minutos para comer debía quitarme la bata, el mandil de plástico, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas y el protector de antebrazos y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Posteriormente debía encontrar un gancho para colgar la bata, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes de malla, las mangas plásticas y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Me tardaba más en quitarme y lavar el mandil de plástico, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas, las botas y el protector de

antebrazos al final del día que durante el descanso para comer porque al final del día mi equipo debía pasar la noche dentro de mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de NOVIEMBRE 2009 en Lebanon, Pennsylvania.


MAYRA C. MONTALVO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

vs.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF DIGNA A. MUNOZ

DECLARATION OF DIGNA A. MUNOZ

I, Digna A. Munoz, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Deboning department from approximately August 2005 until approximately February 2007. My primary job duties consisted of cleaning and cutting the chicken breast.

4. I earned approximately \$10.75 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, an apron, plastic gloves, hairnet, mesh gloves, arm protector, earplugs, cloth gloves, and rubber boots. I put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my smock, plastic gloves, and earplugs. There was almost always a line to pick up equipment at the supply window.

8. I then carried this equipment with me to my locker in the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my rubber boots, mesh gloves, cloth gloves, hairnet, arm protector, sleeves and apron. I then put on in the locker area my smock, apron, plastic gloves, hairnet, mesh gloves, arm protector, earplugs, cloth gloves, and rubber boots.

9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our

department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would remove my apron, cloth gloves, mesh gloves, and arm protector and get in line to use a wash station and wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department and walked towards the locker area.

14. I removed my smock and placed the smock and plastic gloves in a laundry bin by the exit of my department.

15. I threw away my earplugs.

16. Once at my locker, I removed my boots. I stowed in my locker my boots, cloth gloves, mesh gloves, hairnet, arm protector and apron.

17. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.

19. At the start of the 30-minute meal break I was required to take off my apron, plastic gloves, cloth gloves, mesh gloves, smock and arm protector and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron, plastic glove, cloth gloves, mesh gloves, smock and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

21. It took longer to remove and wash my apron, cloth gloves, mesh gloves, arm protector and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

DIGNA A. MUNOZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE MAYRA C.
	)	MONTALVO
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MAYRA C. MONTALVO

La que suscribe, Mayra C. Montalvo, en este acto manifiesto lo siguientes:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").
3. Trabajé en Farmers Pride en el departamento de Deshuesado de Pechuga desde aproximadamente abril del 2003 hasta abril del 2009. Mis obligaciones y responsabilidades de trabajo incluían en corte y limpieza del pollo.
4. Aproximadamente ganaba \$ 9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales de otoño del 2007 mi equipo y prendas de protección incluían una bata, un mandil de plástico, tapones para los oídos, guantes de plástico, guantes de tela, una red para el cabello, protectores de antebrazos, mangas plásticas, guantes de metal y botas de goma sin cordones. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Después de checar la entrada caminaba desde el reloj checador hasta el **área de vestidores**. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente mi locker sacaba los guantes de malla/metal, los guantes de tela, el mandil de plástico, el protector de antebrazos, las mangas plásticas, la red para cabello, los guantes de plástico y las botas. Procedía a calzar mis botas en el cuarto de vestidores.
8. Posteriormente procedía a caminar desde el reloj checador hasta una ventana de suministros. En el cuarto de suministros recogía mi bata, los tapones para los oídos e

intercambiaba los guantes de plástico. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. **Posteriormente cargaba el equipo de vuelta a mi locker.** Después en el área de vestidores me ponía la bata, el mandil de plástico, los tapones de los oídos, los guantes de plástico, los guantes de tela, la red para el cabello, los protectores de antebrazos, las mangas plásticas, y los guantes de metal.

10. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y el equipo de protección que me asignaban desde mi locker hasta el cuarto de suministros para intercambiarlo todo. Ese día de la semana, las filas del área de suministros eran más largas que de costumbre. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

11. **Sin importar el orden que siguiera para hacer las actividades antes mencionadas, mis supervisores Adelaide, Jose Luis o Romulo me pidieron estar lista y preparada para trabajar antes de empezar mi turno.**

12. Una vez vestida, lista para trabajar, cruzaba la entrada del departamento de Deshuesado y me formaba junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

13. A final de mi turno me quitaba el mandil de plástico, los guantes de tela, los guantes de plástico, las mangas plásticas, los guantes de malla y el protector de antebrazos y me formaba para utilizar una estación de lavado y lavar este equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento y ponía la bata en un contenedor para la lavandería cerca de la salida del mismo. Posteriormente me dirigía de mi locker en donde metía los guantes de malla, los guantes de tela, el mandil de plástico, el protector de antebrazos, las mangas plásticas, los guantes de plástico, la red para el cabello y las botas. Tiraba mis tapones para los oídos.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descanso para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisora, Adelaida, Jose Luis o Romulo gritaban “descanso” y la línea se detenía durante 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso de comida.

17. Al empezar el descanso de 30 minutos para comer debía quitarme la bata, el mandil de plástico, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas y el protector de antebrazos y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Posteriormente debía encontrar un gancho para colgar la bata, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes de malla, las mangas plásticas y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Me tardaba más en quitarme y lavar el mandil de plástico, los guantes de malla, los guantes de tela, los guantes de plástico, las mangas plásticas, las botas y el protector de

antebrazos al final del día que durante el descanso para comer porque al final del día mi equipo debía pasar la noche dentro de mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de NOVIEMBRE 2009 en Lebanon, Pennsylvania.


MAYRA C. MONTALVO

La que suscribe, Digna A. Munoz, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé para Farmers Pride en el departamento de Deshuesado desde aproximadamente agosto del 2005 hasta aproximadamente febrero del 2007. Mi principal tarea consistía en limpiar y cortar la pechuga del pollo.

4. Aproximadamente ganaba \$10.75 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, un mandil, guantes de plástico, una red para el cabello, guantes de malla, el protector de antebrazos, los tapones para los oídos, guantes de tela y botas de goma. Me ponía el equipo antes de que empezara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar, caminaba desde el reloj checador y me dirigía a la ventana de suministros. Me formaba en la ventana de suministros para recoger mi bata, guantes de plástico y tapones para los oídos. Casi siempre había fila para recoger el equipo en la ventana de suministros.

8. **Llevaba este equipo a mi locker, en el área de vestidores.** No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker sacaba las botas de goma, los guantes de malla, los guantes de tela, la red para el cabello, el protector de antebrazos, las mangas y el mandil. Posteriormente, dentro del área de vestidores, me ponía la bata, el mandil, los guantes de plástico, la red para cabello,

los guantes de malla, el protector de antebrazos, los tapones para los oídos, los guantes de tela y las botas de goma.

9. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

10. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a llevar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Regularmente, ese día yo llegaba más temprano que de costumbre para asegurarme de contar con suficiente tiempo para recoger las prendas y el equipo de protección y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Al final de mi turno me quitaba el mandil, los guantes de tela, los guantes de malla y el protector de antebrazos y me quedaba en una línea para usar una estación de lavado y lavar el equipo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavar, salía de mi departamento hacia el área de vestidores.

14. Me quitaba la bata y la colocaba junto con los guantes de plástico en una contenedor para lavandería en la salida de mi departamento.

15. Tiraba mis tapones para los oídos.

16. Una vez frente a mi locker, me quitaba las botas. Guardaba dentro de mi locker las botas, los guantes de tela, los guantes de malla, la red para el cabello, el protector de antebrazos y un mandil

17. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor lo anunciaba y la línea se detenía durante exactamente 30 minutos mientras que los empleados de producción y soporte por hora tomaban un descanso de 30 minutos para comer.

19. Al iniciar el descanso de 30 minutos para comer tenía que quitarme el mandil, los guantes de plástico, los guantes de tela, los guantes de malla, la bata, el protector de antebrazos y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho para colgar mi mandil, los guantes de plástico, los guantes de tela, los guantes de malla, la bata y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

20. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

21. Tomaba más tiempo quitar y lavar mi mandil, los guantes de tela, los guantes de malla, el protector de antebrazos y las botas al final del día que durante el descanso para comer, porque al final del día mi equipo debía quedarse a pasar la noche en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los ____ días de 11/19 2009 en Requena Pennsylvania.

Digna A. Muñoz
DIGNA A. MUNOZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF JOSE R. OQUENDO

DECLARATION OF JOSE R. OQUENDO

I, Jose R. Oquendo, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Evisceration Department at Farmers Pride in Fredericksburg, Pennsylvania from approximately June 2003 until approximately February 2006. My job duties and responsibilities consisted of removing guts from chickens with knives.
4. I earned approximately between \$8.75 and \$9.75 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Evisceration Department. My equipment and protective clothing included a hairnet, earplugs, beard net, plastic gloves, cloth gloves, mesh gloves, an arm protector, smock, plastic apron and steel toe boots. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I would then walk from the time clock to a supply window. At the supply window I waited in line and picked up my hairnet, earplugs, beard net, plastic gloves, cloth gloves, plastic apron and smock. There was almost always a line to pick up equipment at the supply room.
8. I then carried this equipment with me to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, mesh gloves, and arm protector. I then put on in the locker area my hairnet, earplugs, beard net, plastic gloves, cloth gloves, mesh gloves, an arm protector, smock, plastic apron and steel toe boots.
9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to the entrance of the Evisceration department and waited with my co-workers for our supervisors to let us in to our department. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would take off my plastic gloves, cloth gloves, mesh gloves, arm protector, and plastic apron and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department and walked towards the locker area. I removed my boots. I stowed in my locker my mesh gloves, arm protector, and boots. I then removed my smock. I placed in a laundry bag the cloth gloves, plastic apron and smock.

14. I threw away my plastic gloves, hairnet and beard net, and earplugs.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Breaks

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal break. This turned out to not be true. My meal break was less than 30 minutes. I knew it was time for a meal break because a bell would ring and the line would stop for 30 minutes while hourly production and support employees took a meal period.

17. At the start of the 30-minute meal period I was required to take off my smock, plastic apron, arm protector, cloth gloves, and mesh gloves and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic gloves, mesh gloves, arm protector, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my boots, cloth gloves, mesh gloves, arm protector, and plastic apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JOSE R. OQUENDO

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
)	
vs.	)	TESTIMONIO DE JOSE R. OQUENDO
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE JOSE R. OQUENDO

El que suscribe, Jose R. Oquendo, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy empleado de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en el departamento de Evisceración de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente junio de 2003 hasta aproximadamente febrero de 2006. Mis obligaciones y responsabilidades consistían en quitar las vísceras del pollo con cuchillo.

4. Ganaba entre \$8.75 y \$9.75 la hora, aproximadamente.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección dentro del Departamento de Eviscerado. El equipo y prendas de protección incluían una red para el cabello, tapones para los oídos, una red para la barba, guantes de plástico, guantes de tela, guantes de malla, un protector de antebrazos, una bata, un mandil de plástico y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar, caminaba desde el reloj checador y me dirigía a la ventana de suministros. En la ventana de suministros me formaba para esperar y recoger mi red para el cabello, los tapones para los oídos, red para la barba, guantes de plástico, guantes de tela, mandil de plástico y bata. Casi siempre había fila para recoger equipo en el cuarto de suministros.

8. Entonces procedía a llevarme este equipo a mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker.

Una vez en mi locker sacaba las botas, los guantes de malla y el protector de antebrazos. En el área del vestidores me colocaba la red para el cabello, los tapones para los oídos, la red para la barba, los guantes de plástico, los guantes de tela, los guantes de malla, un protector de antebrazos, la bata, el mandil de plástico y las botas de seguridad.

9. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

10. Una vez vestido y listo para trabajar, caminaba hasta la entrada del departamento de Evisceración y esperaba junto con mis compañeros a que nuestros supervisores nos dejaran entrar. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

12. Al final de mi turno me quitaría los guantes de plástico, los guantes de tela, los guantes de malla, el protector de antebrazos y el mandil de plástico y me formaba en una estación de lavado para lavar este equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavar, salía de mi departamento hacia el área de vestidores. Me quitaba las botas. Guardaba en mi locker los guantes de malla, el protector de antebrazos y las

botas. Me quitaba mi bata. En una bolsa de lavandería colocaba los guantes de tela, el mandil de plástico y la bata.

14. Tiraba mis guantes de plástico, las redes para el cabello y barba y los tapones para los oídos.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando Farmers Pride me contrató se me dijo que tendría un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. Mi descanso para comer duraba menos de 30 minutos. Sabía que era hora del descanso de alimentos porque un timbre sonaba y la línea se detenía durante 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

17. Al iniciar el periodo de descanso para comer de 30 minutos tenía que quitarme mi bata, el mandil de plástico, el protector de antebrazos, los guantes de tela y los guantes de malla y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis guantes de plástico, los guantes de malla, el protector de antebrazos, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Tardaba más en quitarme y lavar las botas, los guantes de tela, los guantes de malla, el protector de antebrazos y el mandil de plástico al final del día que durante la comida particularmente porque al final del día mi equipo se quedaría en el locker y en el cuarto de

suministros, hasta el día siguiente. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de noviembre 2009 en Lebano Pennsylvania.



JOSE R. OQUENDO

I, Javier Pagan, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Deboning department from approximately October 2003 through June 2004. I performed various tasks in the Deboning department including cutting chicken breasts.

4. I earned approximately \$9.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included rubber boots, a mesh glove, rubber gloves, hairnet, earplugs, plastic apron, and a cloth smock. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed my rubber boots, mesh gloves, rubber gloves, hairnet, earplugs, plastic apron and smock. I then put on in the locker area my rubber boots, mesh glove, rubber gloves, hairnet, earplugs, plastic apron and smock

9. I would almost always then walk from my locker to the supply window. At the supply window I waited in line and exchanged any damaged equipment that I was required to put on before the start of my shift such as new gloves, earplugs, and a clean smock. There was almost always a line to get equipment at the supply window.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried my rubber gloves, mesh glove, plastic apron, hairnet, earplugs and smock to the supply window and exchanged all of my equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would get in line to use a wash station to remove and wash my rubber boots, mesh gloves, rubber gloves, plastic apron and smock. I was also required to wash my boots. There was almost always a line to wash my equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my rubber boots, mesh gloves, rubber gloves, hairnet, earplugs, plastic apron, and smock.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute period.

17. At the start of the 30-minute meal period, I was required to take off and wash my mesh glove, rubber gloves, smock and plastic apron. I then had to find a hook to hang my plastic apron, mesh glove, rubber gloves, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my rubber boots, mesh gloves, rubber gloves, smock, and plastic apron, at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, New York.

JAVIER PAGAN

El que suscribe, Javier Pagan, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé para Farmers Pride, en el departamento de Deshuesado desde aproximadamente octubre de 2003 hasta junio de 2004. Realizaba varias tareas en el departamento de Deshuesado, incluyendo destazar pechugas de pollo.

4. Aproximadamente ganaba \$9.25 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. El equipo y prendas de protección incluía, botas de goma, guantes de malla, guantes de goma, una red para cabello, tapones para los oídos, un mandil de plástico y una bata de tela. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme a mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya en mi locker sacaba las botas de goma, los guantes de malla, los guantes de goma, la red para el cabello, los tapones para los oídos, el mandil de plástico y la bata. En el área de vestidores me ponía las botas, los guantes de malla, los guantes de goma, la red para el cabello, los tapones para los oídos, el mandil de plástico y la bata.

9. Casi siempre después me dirigía a la ventana de suministros desde mi locker. En la ventana de suministros me formaba para esperar e intercambiar el equipo dañado que debía usar antes de iniciar mi turno, tal como guantes nuevos o tapones nuevos para los oídos y una bata limpia. Casi siempre había fila en la ventana de suministros para recibir el equipo.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez vestido y listo para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Después procedía a llevar los guantes de goma, los guantes de malla, el mandil de plástico, la red para el cabello, los tapones para los oídos y la bata a la ventana de suministros y cambiaba todo el equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

13. Al final del turno me formaba para poder usar una estación de lavado en donde me quitaba y lavaba las botas de goma, los guantes de malla, los guantes de goma, el mandil de plástico y la bata. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Procedía entonces a quitarme las botas. Guardaba las botas de goma, los guantes de malla, los guantes de goma, la red para el cabello, los tapones para los oídos, el mandil de plástico y la bata en el locker.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer


16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era el descanso de comida porque la línea se detenía durante exactamente 30 minutos mientras que los empleados de producción y soporte por hora tomaban 30 minutos.

17. Al empezar los 30 minutos para comer debía salir de inmediato y lavar los guantes de malla, los guantes de goma, la bata y el mandil de plástico. Después tenía que encontrar un gancho para colgar mis mandil de plástico, los guantes de malla, los de goma y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Tardaba más en quitarme y lavar las botas de goma, los guantes de malla, los guantes de goma, la bata y el mandil de plástico al final del día que durante el descanso para comer porque al final del día el equipo se quedaba dentro del locker, donde pasaba la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

De conformidad con la legislación del estado de Nueva York, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de NOVIEMBRE 2009 en QUEENS Nueva York.


JAVIER PAGAN

I, Carmen Paniagua, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee.
3. I have worked at Farmers Pride in Fredericksburg, Pennsylvania since approximately March 2003. From approximately March 2003 until about May 2008 I weighed chicken in the Cut-up department. I have been on light duty performing various tasks in the Cut up since May 2008.
4. I earn approximately \$8.50 to \$10.45 per hour.

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing in the Cut-up Department. Prior to late fall 2007, my equipment and protective clothing included a smock, hairnet, earplugs, cloth gloves, plastic gloves, mesh gloves, apron, arm protector, rubber slip on steel toe boots, and sleeves. My supervisors required me to put on this equipment prior to the start of my shift.
6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I would then walk from the time clock to a supply window. I waited in line to pick up my cloth smock, plastic gloves, hairnet, earplugs, plastic apron, and plastic sleeves. There was almost always a line to get equipment at the supply window.
8. I then carried this equipment from the supply window to my locker in the locker area. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I also removed from my locker my arm protector, mesh gloves and cloth gloves. I then put on in the locker area my smock, mesh gloves, cloth gloves, arm protector, apron, sleeves, and boots.

9. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

10. After I was dressed and ready to work, I walked to the entrance of the Cut-up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. At the end of my shift I would remove my cloth gloves, mesh gloves, apron, and sleeves, and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department and walked to my locker. I removed my boots. I stowed in my locker my boots, arm protector, cloth gloves, and mesh gloves. I placed in a laundry bin my smock, apron, and sleeves. I threw away the hairnet and earplugs.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor made an announcement

and the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.

16. At the start of the 30-minute meal break I was required to take off my smock, cloth gloves, mesh gloves, apron, and sleeves and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang this equipment. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

18. It took longer to remove and wash my boots, cloth gloves, mesh gloves, apron, and sleeves at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

CARMEN PANIAGUA

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

vs.

FARMERS PRIDE INC.,

Demandada.

) **CASO NO. 07-0749**

TESTIMONIO DE CARMEN PANIAGUA

TESTIMONIO DE CARMEN PANIAGUA

La que suscribe, Carmen Paniagua, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Actualmente soy **empleada de Farmers Pride, Inc.** ("Farmers Pride").

3. He trabajado para Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente marzo de 2003. Desde aproximadamente marzo de 2003 hasta alrededor de mayo de 2008 he pesado el pollo en el Departamento de Destazado. Desde mayo de 2008, me han asignado diferentes tareas ligeras dentro de Destazado.

4. Gano aproximadamente entre \$8.50 y \$10.45 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pide que use equipo y prendas de protección dentro del Departamento de Destazado. Antes de finales del otoño de 2007 mi equipo y prendas de protección incluían una bata, una red para el cabello, guantes de tela, guantes de goma, guantes de malla, un mandil, el protector de antebrazos, botas de seguridad sin cordones y mangas. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar, caminaba desde el reloj checador y me dirigía a la ventana de suministros. Me formaba y esperaba para recoger la bata de tela, los guantes de plástico, la red para el cabello, los tapones para los oídos y las mangas plásticas. Casi siempre había fila en la ventana de suministros para recibir el equipo.

8. Llevaba este equipo desde la ventana de suministros hasta mi locker, en el área de vestidores. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker sacaba las botas. También sacaba del locker mi protector de antebrazos, los guantes de malla y los guantes de tela. Posteriormente, me

ponía la bata, los guantes de malla, los guantes de tela, el protector de antebrazos, el mandil, las mangas y las botas en el área de vestidores.

9. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

10. Una vez vestida y lista para trabajar, me dirigía a la entrada del Departamento de Destazado y esperaba, junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

11. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Al final de mi turno me quitaba los guantes de tela, los guantes de malla, el mandil y las mangas y me formaba para poder usar una estación de lavado para lavar todo eso. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavar, salía de mi departamento hacia mi locker. Me quitaba las botas. Guardaba las botas, el protector de antebrazos, los guantes de tela y los guantes de malla en el locker. Colocaba la bata, el mandil y las mangas en un contenedor para la lavandería. Tiraba la red para el cabello y los tapones para los oídos.

14. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

15. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor lo anunciaba y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso de 30 minutos para comer.

16. Al principio de mi descanso para comer de 30 minutos debía yo quitarme los guantes de tela, los guantes de malla, el mandil y las mangas y lavarlo todo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar este equipo. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

17. Después de comer debía esterilizar mis manos, agarrar mi equipo, volvérmelo a poner y regresar a mi estación de trabajo en exactamente 30 minutos desde que la dejé para mi descanso o estaría en problemas.

18. Tomaba más tiempo para quitarme y lavar la botas, los guantes de tela, los guantes de malla, el mandil y las mangas al final del día que durante el descanso de comida porque al final del día el equipo se quedaba en el locker y en el cuarto de suministros a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre 2009 en Reading, Pennsylvania.


CARMEN PANIAGUA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF MARIA PATINO

DECLARATION OF MARIA PATINO

I, Maria Patino, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately early 2001 until approximately December 2007. My job duties included deboning meat with scissors and weighing meat.

4. I earned approximately \$7.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a smock, plastic gloves, cloth gloves, mesh gloves, plastic apron, plastic sleeves, earplugs, steel toe boots, and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my cloth gloves, plastic apron, plastic sleeves, and mesh gloves.

8. Then I went to a supply window. At the supply window I picked up my plastic gloves, earplugs, hairnet, a smock and exchanged any damaged equipment such as the plastic sleeves. There was almost always a line to pick up equipment at the supply room.

9. I then carried this equipment with me to my locker. Once at my locker, I put on my boots, cloth gloves, plastic apron, plastic sleeves, mesh gloves, plastic gloves, earplugs, hairnet, and smock.

10. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our

department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion, I was told that my equipment was not clean. I was then required to clean my equipment prior to entering the Deboning department.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my cloth gloves, mesh gloves, plastic gloves, plastic apron, plastic sleeves and get in line to use a wash station to wash this equipment. I was also required to wash my boots and scissors. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked towards the locker area. I removed my smock. I placed my smock in a laundry bag as I exited the department. I also removed and threw away the hairnet, earplugs, and plastic gloves.

15. Once at my locker, I removed my boots. I stowed in my locker my boots, cloth gloves, plastic apron, plastic sleeves, and mesh gloves.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an

announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.

18. At the start of my 30-minute meal period I was required to take off my apron, smock, cloth gloves, plastic gloves, mesh gloves and plastic sleeves and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, plastic sleeves, apron and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

20. It took longer to remove and wash my plastic gloves, cloth gloves, mesh gloves, plastic sleeves, apron and boots at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MARIA PATINO

Demandada.

TESTIMONIO DE MARIA PATINO

TESTIMONIO DE MARIA PATINO

La que suscribe, Maria Patino, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajaba en el Departamento de Deshuesado de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente principios de 2001 hasta aproximadamente diciembre de 2007. Entre mis responsabilidades estaba deshuesar la carne con tijera y pesar la carne.

4. Aproximadamente ganaba \$7.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño de 2007, el equipo y las prendas de protección incluían una bata, guantes de plástico, guantes de tela, guantes de malla, un mandil de plástico, mangas plásticas, tapones para los oídos, botas de seguridad y una red para el cabello. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar caminaba desde ahí hasta el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker sacaba los guantes de tela, el mandil de plástico, las mangas plásticas y los guantes de malla.

8. Posteriormente me dirigía a una ventana de suministros. En la ventana de suministros recogía los guantes de plástico, los tapones para los oídos, una red para el cabello, una bata y cambiaba el equipo que estuviera dañado, tal como las mangas plásticas. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. **Después procedía a llevarme este equipo a mi locker. Una vez frente a mi locker me calzaba las botas, los guantes de tela, el mandil de plástico, las mangas plásticas, los guantes de malla, los guantes de plástico, los tapones par los oídos, la red para el cabello y la bata.**

10. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. Más de una vez se me dijo que mi equipo no estaba limpio.** Se me pidió que limpiara mi equipo antes de entrar al departamento de Deshuesado.

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

13. Al final de mi turno me quitaría los guantes de tela, los guantes de malla, los guantes de plástico, el mandil de plástico y las mangas plásticas y me formaba para utilizar una estación de lavado y lavar todo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento hacia el área de vestidores. Me quitaba mi bata. Ponía la bata en una bolsa para lavandería en cuanto salía del departamento.

También me quitaba la red para el cabello, los tapones de para los oídos, los guantes de plástico y los tiraba.

15. Una vez frente a mi locker, me quitaba las botas. Ahí guardaba las botas, los guantes de tela, el mandil de plástico, las mangas plásticas y los guantes de malla.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque mi supervisor lo anunciaba y la línea se paraba durante 30 minutos exactamente mientras los empleados de producción y soporte por hora tomaban el descanso para comer.

18. Al principio del descanso de 30 minutos para comer debía quitarme el mandil, la bata, los guantes de tela, los guantes de plástico, los guantes de malla y las mangas plásticas y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho para colgar los guantes de tela, los guantes de malla, los guantes de plástico, las mangas plásticas, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

20. Tardaba más en quitarme y lavar los guantes de plástico, los guantes de tela, las mangas plásticas, el mandil y las botas al final del día que durante el descanso de comer porque al final del día, el equipo se quedaría a pasar la noche en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de Noviembre 2009 en Reading, Pennsylvania.

Maria Patino
MARIA PATINO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

VS.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF DAMARIS PEREZ

DECLARATION OF DAMARIS PEREZ

I, Damaris Perez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately March 2004 until approximately June 2006. My job duties included cleaning meat and deboning meat.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a smock, plastic apron, arm guard, earplugs, hairnet, plastic gloves, cloth gloves, mesh gloves, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my apron, arm guard, cloth gloves, plastic gloves, mesh gloves, and boots. I then put on my boots in the locker area.

9. I then carried my equipment to a supply window. At the supply window I waited in line and picked up my smock, hairnet, and earplugs and exchanged any of my equipment if it was damaged. There was almost always a line to pick up equipment at the supply window.

10. After getting my equipment and protective clothing from the supply window and from my locker, I walked to the time clock and clocked in.

11. After clocking in, I walked to the cafeteria. Once at the cafeteria, I put on my smock, plastic apron, arm guard, earplugs, hairnet, plastic gloves, cloth gloves, and mesh gloves.

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker room. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

14. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

15. At the end of my shift I would take off my cloth gloves, mesh gloves, plastic gloves, plastic apron, and arm guards and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

16. After washing, I exited my department. I removed my smock and placed it in a laundry bag near the exit of my department.

17. I then walked to the time clock and clocked out.

18. I then walked to my locker. I removed and threw away the hairnet and earplugs. I also removed my boots. I stowed in my locker my apron, arm guard, cloth gloves, plastic gloves, mesh gloves, and boots.

19. I then left the plant.

Meal Period

20. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.

21. At the start of my 30-minute meal period I was required to take off my apron, cloth gloves, plastic gloves, mesh gloves and arm guard and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, arm guard, and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

22. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

23. It took longer to remove and wash my cloth gloves, mesh gloves, plastic gloves, plastic apron, arm guard, and boots at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

DAMARIS PEREZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE DAMARIS PEREZ
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE DAMARIS PEREZ

La que suscribe, Damaris Perez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajaba en el Departamento de Deshuesado de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente marzo de 2004 hasta aproximadamente junio de 2006. Entre mis responsabilidades estaba limpiar y deshuesar la carne.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, un mandil de plástico, un protector de antebrazos, tapones para los oídos, una red para cabello, guantes de plástico, guantes de tela, guantes de malla y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme a mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba el mandil de plástico, los protectores de antebrazos, los guantes de tela, los guantes de plástico, los guantes de malla y las botas. Procedía a calzar mis botas en el área de vestidores.

9. Posteriormente llevaba mi equipo a la ventana de suministros. En la ventana de suministros me formaba a esperar y recoger una bata, una red para el cabello y tapones para los oídos y cambiaba cualquier pieza de mi equipo que estuviera dañada. Casi siempre había fila para recoger el equipo en la ventana de suministros.

10. Después de recibir mi equipo y prendas de protección de la ventana de suministros y sacar el material del locker, me dirigía al reloj checador y checaba.

11. Después de checar la entrada me dirigía hacia la cafetería. En la cafetería me ponía la bata, el mandil de plástico, el protector de antebrazos, los tapones para los oídos, la red para el cabello, los guantes de plástico, los guantes de tela y los guantes de malla.

12. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.

13. Debíamos recibir equipo nuevo una vez a la semana. **Así, una vez a la semana, antes de que empezara mi turno, me calzaba las botas en el vestidor. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Regularmente, ese día yo llegaba más temprano que de costumbre para asegurarme de contar con suficiente tiempo para recoger las prendas y el equipo de protección y estar vestida y lista para trabajar antes de que iniciara mi turno.**

14. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

15. Al final de mi turno me quitaba los guantes de tela, los guantes de malla, los guantes de plástico, el mandil de plástico y el protector de antebrazo y me formaba para utilizar una estación de lavado y lavar todo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

16. Después de lavar, salía de mi departamento. Me quitaba la bata y la colocaba en una bolsa para lavandería cerca de la salida de mi departamento.

17. Después de eso, me dirigía al reloj para checar mi salida.

18. Posteriormente me dirigía a mi locker. Me quitaba la red para el cabello y los tapones para los oídos y los tiraba. También me quitaba las botas. Guardaba en el locker las botas, el protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes de malla y las botas.

19. Y salía de la planta.

Descansos para comer

20. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque mi supervisor lo anunciaba y la línea se paraba durante 30 minutos exactamente, mientras los empleados de producción y soporte por hora tomaban el descanso para comer.

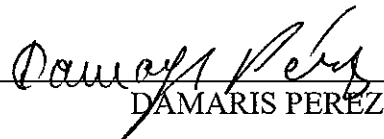
21. Al principio del descanso de 30 minutos para comer debía quitarme el mandil, los guantes de tela, los guantes de plástico, los guantes de malla y el protector de antebrazos y lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho para colgar los guantes de tela, los guantes de malla, los guantes de plástico y el mandil. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

22. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

23. Tardaba más en quitarme y lavar los guantes de tela, los guantes de malla, los guantes de plástico, el protector de antebrazos y las botas al final del día que durante el descanso para comer porque al final del día, el equipo se quedaría a pasar la noche en mi locker y en el

cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre 2009 en Reading Pennsylvania.


DAMARIS PEREZ

I, Frank Pressel Jr., hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Cut-Up department from approximately February 2004 until approximately November 2004. I performed various tasks in the Cut-Up department including stacking finished product and icing boxes.

4. I earned approximately \$9.00 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cloth and rubber), steel-toed boots, a plastic apron, a smock, a hard hat and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker, I removed from my locker my boots, cloth gloves, rubber gloves, plastic apron, hardhat, hairnet and ear plugs. I then put on my boots at the locker.

9. I would then walk from my locker to the time clock and clock in.

10. After clocking in, I walked from the time clock to the supply window. At the supply window I waited in line and picked up a clean smock and exchanged any new gear that I in order to be dressed and ready to work before the start of my shift. There was almost always a line to get equipment at the supply window. I then put on outside of the supply window the cloth gloves, rubber gloves, plastic apron, smock, hardhat, hairnet and ear plugs.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried my cloth gloves, rubber gloves, plastic apron, hardhat, hairnet and ear plugs to the supply room and exchanged all of my equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

14. At the end of my shift I would get in line to use a wash station. I would then remove and wash my hardhat, gloves (cloth and rubber), smock and plastic apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

15. After washing, I exited my department and walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my hardhat, cloth gloves, rubber gloves, plastic apron, earplugs, hairnet and boots.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

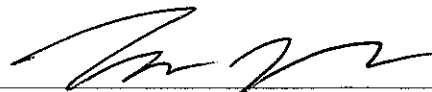
minutes. I knew it was time for a meal period because the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.

18. At the start of the 30-minute meal break, I was required to take off my plastic apron, smock, hardhat and gloves (cloth and rubber) and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, smock, hardhat and gloves (cloth and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

20. It took longer to remove and wash my boots, plastic apron, hard hat, smock, and gloves (cloth and rubber) after my shift was over than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct. Executed this 16 day of November 2009 in Locatello, Idaho.



FRANK PRESSEL JR.

I, Joselyn Rivera, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee.

3. I have worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania since approximately March 2007. My job duties include deboning meat and cutting meat.

4. I earn approximately \$9.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included cloth gloves, rubber gloves, earplugs, hairnet, plastic apron, arm protector, smock, steel toe boots, and mesh gloves. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I put on my boots at my locker. I also removed my apron, smock, cloth gloves, mesh gloves, hairnet, and arm protector.

8. I then walked from the locker area to a supply window. At the supply window I waited in line and picked up earplugs, rubber gloves and exchanged any damaged equipment. There was almost always a line to pick up equipment at the supply room.

9. I then went to the bathroom where I put on my smock, hairnet, earplugs, apron, cloth gloves, rubber gloves, arm guard, and mesh gloves.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, mesh gloves, arm protector, smock, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department and walked towards the locker area. I threw away the rubber gloves and earplugs. I removed my boots. I stowed in my locker my boots, apron, smock, cloth gloves, mesh gloves, hairnet, and arm protector. I occasionally took equipment home if it needed additional cleaning.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an

announcement and the line would stop for exactly 30 minutes while the hourly production and support employees took a meal break.

17. At the start of my 30-minute meal period I was required to take off my apron, smock, cloth gloves, rubber gloves, mesh gloves, and arm protector and to wash this equipment. I was also required to wash my boots. There was always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my cloth gloves, rubber gloves, mesh gloves, arm guard at a table at my station. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JOSELYN RIVERA

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE JOSELYN RIVERA

TESTIMONIO DE JOSELYN RIVERA

La que suscribe, Joselyn Rivera, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Actualmente soy **empleada de Farmers Pride, Inc.** ("Farmers Pride").

3. Trabajaba en el Departamento de Deshuesado de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente marzo de 2007. Entre mis responsabilidades estaba deshuesar y cortar la carne.

4. Aproximadamente gano \$9.25 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pide usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño del 2007 mi equipo y prendas de protección incluían guantes de tela, guantes de goma, tapones para los oídos, una red para cabello, un mandil de plástico, protector de antebrazos, una bata, botas de seguridad y guantes de malla. Mis supervisores me piden colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de que checaba mi entrada me dirigía desde ahí hasta **mi locker**. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker sacaba las botas. Me calzaba las botas frente al locker. También sacaba mi mandil, la bata, los guantes de malla, la red para el cabello y el protector de antebrazos.

8. Posteriormente caminaba desde el área de vestidores hasta una ventana de suministros. En la ventana de suministros me formaba a esperar para recoger los tapones para los oídos, los guantes de goma y cambiar el equipo dañado. Casi siempre había fila para recoger equipo en el cuarto de suministros.

9. Después iba al baño en donde me ponía la bata, la red para el cabello, los tapones para los oídos, el mandil, los guantes de tela, los guantes de goma, el protector de antebrazos y los guantes de malla.

10. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestida y lista para trabajar antes de que iniciara el turno.**

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a llevar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

13. Antes de finales del otoño de 2007, al final de mi turno me quitaba los guantes de tela, los guantes de goma, los guantes de malla y el protector de antebrazos, la bata y el mandil y me formaba para usar una estación de lavado y lavar todo esto. También debía lavar mis botas. Siempre había fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavar, salía de mi departamento hacia el área de vestidores. Tiraba mis guantes de goma y los tapones para los oídos. Me quitaba las botas. Guardaba en mi locker las botas, el mandil, la bata, los guantes de tela, los guantes de malla, la red para el cabello y el

protector de antebrazos. En ocasiones me llevaba el equipo a casa, cuando necesitaba limpiarlo más.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque mi supervisor lo anunciaba y la línea se paraba durante 30 minutos exactamente, mientras los empleados de producción y soporte por hora tomaban el descanso para comer.

17. Al empezar el descanso de 30 minutos para comer yo debía quitarme el mandil, la bata, los guantes de tela, los guantes de goma, los guantes de malla, el protector de antebrazos y lavar todo esto. También debía lavar mis botas. Siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi mandil y bata. Dejaba los guantes de tela, los guantes de goma, los guantes de malla, el protector de antebrazos en la mesa de mi estación. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 18 días de noviembre 2009 en Lebanon, Pennsylvania.


JOSELYN RIVERA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
)	
vs.)	
	)	DECLARATION OF JOPHSE E.
FARMERS PRIDE INC.,	)	RODRIGUEZ
)	
Defendant.)	
)	
)	

DECLARATION OF JOPHSE E. RODRIGUEZ

I, Jophse E. Rodriguez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately September 2006 until about March 2008. My job duties included cutting chickens and hanging chickens
4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included a hairnet, rubber slip on boots, cloth gloves, rubber gloves, plastic gloves, earplugs, plastic apron, arm protector, and smock. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my hairnet, rubber slip on boots, plastic apron, cloth gloves, and arm protector. I then put on my boots in the locker area.

8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, rubber gloves, plastic gloves, earplugs and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.

9. I then walked back to my locker and put on my smock, rubber gloves, cloth gloves, hairnet, earplugs, plastic apron and arm protector.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean and complete. On more than one occasion, I was told that my equipment was not clean or was complete. I was then required to clean my equipment or get the missing equipment prior to entering the Deboning department.

13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, smock, plastic apron, and arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I walked to the locker area. I removed my smock. I placed my smock in a laundry bag outside the department. I then removed my boots. I stowed in my locker my boots, hairnet, plastic apron, cloth gloves, and arm protector. I threw away my plastic gloves and occasionally my earplugs.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.

17. At the start of my 30-minute meal period I was required to take off my smock, cloth gloves, rubber gloves, plastic apron, and arm protector and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my smock. I then walked to my locker to put away my cloth gloves, rubber gloves, plastic apron, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I retrieved my equipment from my locker and returned to my department. I was required to sterilize my hands, retrieve my smock, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

19. It took longer to remove and wash my boots, cloth gloves, rubber gloves, plastic apron, and arm protector at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____, 2009 in _____, Pennsylvania.

JOPHSE E. RODRIGUEZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

**LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación**

Actoras,

vs.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

**TESTIMONIO DE JOPHSE E.
RODRIGUEZ**

TESTIMONIO DE JOPHSE E. RODRIGUEZ

El que suscribe, Jophse E. Rodriguez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajaba en el Departamento de Deshuesado de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente septiembre de 2006 hasta aproximadamente marzo de 2008. Entre mis responsabilidades estaba destazar pollo y colgar pollo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño de 2007 mi equipo y prendas de protección incluían una red para el cabello, botas de goma sin cordones, guantes de tela, guantes de goma, guantes de plástico, tapones para los oídos, un mandil de plástico, el protector de antebrazos y una bata. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de que checaba mi entrada me dirigía desde ahí hasta mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Ya frente a mi locker sacaba la red para el cabello, las botas de goma sin cordones, el mandil de plástico, los guantes de tela y el protector de antebrazos. Procedía a calzar mis botas en el área de vestidores.

8. Posteriormente caminaba desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger equipo adicional que necesitara antes de

iniciar mi turno. Recogía una bata limpia, guantes de goma, guantes de plástico, tapones para los oídos e intercambiaba cualquier equipo que estuviera dañado. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Posteriormente regresaba a mi locker para ponerme la bata, los guantes de goma, los guantes de tela, la red para el cabello, el mandil de plástico y el protector de antebrazos.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a llevar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

12. Una vez vestido y listo para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante esos minutos, los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que traíamos el equipo bien puesto y que estaba limpio y completo. Más de una vez se me dijo que mi equipo no estaba limpio o que estaba incompleto. Entonces debía limpiar mi equipo u obtener lo que me faltara antes de entrar al departamento de Deshuesado.**

13. Antes de finales del otoño de 2007, al final de mi turno me quitaba los guantes de tela, los guantes de goma, la bata, el mandil de plástico y el protector de antebrazos y me formaba para usar una estación de lavado y lavar todo esto. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme me dirigía al área de vestidores. Me quitaba mi bata. Colocaba mi bata en un contenedor para la lavandería afuera del departamento. Procedía entonces a quitarme las botas. Guardaba en mi locker las botas, la red para el cabello, el mandil de plástico, los guantes de tela y el protector de antebrazos. Tiraba mis guantes de plástico y en ocasiones los tapones para los oídos.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor lo anunciaba y la línea se detenía exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

17. Al empezar el descanso de 30 minutos para comer yo debía quitarme la bata, los guantes de tela, los guantes de goma, el mandil de plástico y el protector de antebrazos y lavar todo esto. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi bata. Procedía entonces hacia mi locker para guardar los guantes de tela, los guantes de goma, el mandil de plástico y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

18. Después de comer recuperaba mi equipo del locker y regresaba a mi departamento. Debía esterilizar mis manos, agarrar mi bata, volverme a poner el equipo y regresar a mi estación exactamente en 30 minutos desde que salía de mi estación de trabajo para tomar los 30 minutos de comida o tendría problemas.

19. Tomaba más tiempo para quitarme y lavar la botas, los guantes de tela, los guantes de goma, el mandil de plástico y el protector de antebrazos al final del día que durante el descanso de comida porque al final del día el equipo se quedaba en el locker y en el cuarto de suministros a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de NOVIEMBRE 2009 en Reading, Pennsylvania.

Joseph RODRIGUEZ
JOSEPH E. RODRIGUEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
)	
vs.)	
	)	DECLARATION OF SELINA
FARMERS PRIDE INC.,	)	RODRIGUEZ
)	
Defendant.)	
)	
)	

DECLARATION OF SELINA RODRIGUEZ

I, Selina Rodriguez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately January 2003 until about September 2007. My job duties included cutting chickens.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department.. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, cloth gloves, cloth smock, and plastic apron, hairnet, arm protector, ear protector, rubber slip on boots, and mesh gloves. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After I clocked in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic gloves, arm protector, and plastic apron. I then put on my boots in the locker area.

8. I then carried this equipment with me to a supply window. I was required to wait in line and to pick up cloth gloves, a cloth smock, a hairnet, and earplugs and to exchange any damaged equipment such as plastic gloves. There was almost always a line to get equipment at the supply window.

9. I then walked back to the locker area. I then put on at my locker my plastic gloves, cloth gloves, mesh gloves, arm protector, plastic apron, smock, hairnet, and ear plugs.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Prior to late fall 2007, at the end of my shift I would take off my plastic gloves, plastic apron, mesh gloves, arm protector and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my cloth smock and cloth gloves. I placed my cloth smock and cloth gloves in a laundry bag. I then threw away my earplugs and hairnet. I then removed my boots. I stowed in my locker my mesh gloves, plastic apron, arm protector, and plastic gloves.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because a bell would sound and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.

16. At the start of my 30-minute meal period I was required to take off my cloth smock, plastic apron, cloth gloves, plastic gloves, mesh gloves, ear protector and arm protector and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron and smock. I then walked to the locker area where I stowed in my locker my cloth gloves, plastic

gloves, mesh gloves, ear protector, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

18. It took longer to remove and wash my boots, plastic gloves, mesh gloves, ear protector, and arm protector at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

SELINA RODRIGUEZ

**TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA**

LUZ LUGO y YESENIA MARCO
en representación de sus propias
personas y la de todos los demás
que se encuentren en la misma situación

Actoras,

VS.

FARMERS PRIDE INC.,

Demandada.

CASO NO. 07-0749

TESTIMONIO DE SELINA RODRIGUEZ

TESTIMONIO DE SELINA RODRIGUEZ

La que suscribe, Selina Rodriguez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajaba en el Departamento de Deshuesado de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente enero de 2003 hasta aproximadamente septiembre de 2007. Entre mis responsabilidades estaba destazar pollo.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño del 2007 mi equipo y prendas de protección incluían guantes de plástico, guantes de tela, bata de tela y un mandil de plástico, red para el cabello, un protector de antebrazos, protector de orejas, botas de goma si cordones y guantes de malla. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Una vez checada mi entrada, caminaba desde el reloj checador hasta mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba los guantes de malla, los guantes de plástico, el protector de antebrazos y el mandil de plástico. Procedía a calzar mis botas en el área de vestidores.

8. Posteriormente llevaba todo este equipo a la ventana de suministros. Debía formarme y esperar para recoger los guantes de tela, una bata de tela, una red para cabello y los

tapones para los oídos e intercambiar cualquier equipo dañado, como, por ejemplo, los guantes de plástico. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Después me dirigía de regreso al área de vestidores. Posteriormente, frente a mi locker, me ponía los guantes de plástico, los guantes de tela, los guantes de malla, el protector de antebrazos, la bata, la red para cabello y los tapones para los oídos.

10. **Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.**

11. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Antes de finales del otoño de 2007, al final de mi turno me quitaba los guantes de plástico, el mandil de plástico, los guantes de malla, el protector de antebrazos y me formaba para usar una estación de lavado y lavar todo esto. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavarme me dirigía al área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Me quitaba la bata de tela y los guantes de tela. Colocaba la bata de tela y los guantes de tela en un contenedor para la lavandería. Y tiraba los tapones para los oídos. Procedía entonces a quitarme las botas. Dejaba en mi locker los guantes de malla, el mandil de plástico, el protector de antebrazos y los guantes de plástico.

14. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

15. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del periodo de descanso para comer porque sonaba un timbre y la línea se detenía durante exactamente 30 minutos mientras los empleados de soporte y producción por hora gozaban de un periodo para comer.

16. Al inicio de mi descanso de 30 minutos para comer debía yo quitarme la bata de tela, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes de malla, los protectores de oídos y el protector de antebrazos para lavarlos. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho y colgar mi bata y el mandil de plástico. Procedía hacia el área de vestidores en donde guardaba los guantes de tela, los guantes de plástico, los guantes de malla, el protector de oído y el protector de antebrazos en el locker. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

17. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

18. Tomaba más tiempo para quitarme y lavar la botas, los guantes de plástico, los guantes de malla, el protector de oído y el protector de antebrazos al final del día que durante el descanso de comida porque al final del día el equipo se quedaba en el locker y en el cuarto de suministros a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de 11 2009 en P. A., Pennsylvania.


SELINA RODRIGUEZ

I, Yolanda Romero, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked primarily in the Thigh Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately June, 2003 until about April, 2004. My job duties included cutting chickens and separating thighs.

4. I earned approximately \$9.00 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included a plastic apron, smock, rubber gloves, mesh gloves, slip on rubber boots, hairnet, arm protector and earplugs. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my plastic apron, rubber gloves, mesh gloves, boots, arm protector, hairnet and earplugs. I then put on my boots in the locker area.

9. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged any damaged equipment. There was almost always a line to get equipment at the supply window.

10. I then walked back to my locker and put on my smock, plastic apron, rubber gloves, mesh gloves, arm protector, hairnet, and earplugs.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we were present.

13. One day out of the week, we were required to get new equipment. As such, once a week, I put on my boots in the locker area. I then carried my rubber gloves, mesh gloves, earplugs, hair net, plastic apron, arm guard to the supply window and exchanged all of my equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

14. At the end of my shift I would take off my rubber gloves, mesh glove, plastic apron, and arm guard and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

15. After washing, I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I removed my smock. I placed my smock in a laundry bag. I then removed my boots. I stowed in my locker my rubber gloves, mesh gloves, plastic apron, arm guard, hairnet and earplugs, rubber boots.

16. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an

announcement and the line stopped for exactly 30 minutes while the hourly production and support employees took a meal break.

18. At the start of my 30-minute meal period I was required to take off my rubber gloves, mesh gloves, smock , plastic apron, and arm guard and to wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my rubber gloves, mesh gloves, smock , plastic apron, and arm guard. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

20. It took longer to remove and wash my boots, rubber gloves, mesh gloves, plastic apron, and arm guard at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, New York.

YOLANDA ROMERO

La que suscribe, Yolanda Romero, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Principalmente trabajé en el Departamento de Deshuesado de Muslos de Farmers Pride, en Fredericksburg, Pennsylvania desde aproximadamente junio de 2003 hasta aproximadamente abril de 2004. Entre mis responsabilidades estaba destazar pollo y separar los muslos.

4. Aproximadamente ganaba \$9.00 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían, un mandil de plástico, una bata, guantes de goma, guantes de malla, botas de goma sin cordones, una red para el cabello, un protector de antebrazos y tapones para los oídos. Mis supervisores me pedían colocarme este equipo antes de que iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme a mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez frente a mi locker, sacaba el mandil de plástico, los guantes de goma, los guantes de malla, las botas, el protector de antebrazos, la red para el cabello y los tapones para los oídos. Procedía a calzar mis botas en el área de vestidores.

9. Posteriormente caminaba desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger equipo adicional que necesitara antes de

iniciar mi turno. Recogía una bata limpia e intercambiaba cualquier equipo dañado. Casi siempre había fila en la ventana de suministros para recibir el equipo.

10. Después regresaba a mi locker para ponerme la bata, el mandil de plástico, los guantes de goma, los guantes de malla, el protector de antebrazos, la red para el cabello y los tapones para los oídos.

11. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que tenía que estar vestido y listo para trabajar antes de que iniciara el turno.

12. Una vez vestida y lista para trabajar, me dirigía a la entrada del departamento de Deshuesado y esperaba junto con los demás trabajadores. Debíamos formarnos y esperar para entrar a nuestro departamento antes de que empezara el turno. **En este momento, los supervisores y empleados de Farmers Pride nos revisaban y se aseguraban que estuviéramos presentes.**

13. Un día a la semana debíamos recibir equipo nuevo. Así, una vez a la semana, me calzaba las botas en el área de vestidores. Después llevaba los guantes de goma, los guantes de malla, los tapones para los oídos, la red para el cabello, el mandil de plástico, el protector de antebrazos a una ventana de suministros y cambiaba todo mi equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

14. Al final de mi turno me quitaba los guantes de goma, los guantes de malla, el mandil de plástico y el protector de antebrazos y me formaba para usar una estación de lavado y lavar este equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

15. Después de lavarme me dirigía al área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker.

Me quitaba mi bata. La colocaba en un contenedor para la lavandería. Procedía entonces a quitarme las botas. Guardaba los guantes de goma, los guantes de malla, el mandil de plástico, el protector de antebrazos, la red para el cabello, los tapones para los oídos y las botas de goma en mi locker.

16. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor lo anunciaba y la línea se detenía exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

18. Al principio del descanso de 30 minutos para comer debía yo quitarme los guantes de goma, los guantes de malla, la bata, el mandil de plástico y el protector de antebrazos y lavar todo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después debía encontrar un gancho para colgar los guantes de goma, los guantes de malla, la bata, el mandil de plástico y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

20. Tomaba más tiempo para quitarme y lavar la botas, los guantes de goma, los guantes de malla, el mandil de plástico y el protector de antebrazos al final del día que durante el descanso de comida porque al final del día el equipo se quedaba en el locker y en el cuarto de suministros a pasar la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

De conformidad con la legislación del estado de Nueva York, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de NOVIEMBRE 2009 en QUEENS Nueva York.


YOLANDA ROMERO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals

Plaintiffs,

vs.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF RUBEN ROSADO

DECLARATION OF RUBEN ROSADO

I, Ruben Rosado, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee at the Fredericksburg, Pennsylvania, plant.

3. I worked in the Packing department of Farmers Pride from about September 2004 until approximately February 2006. My job duties primarily consist of putting chicken in the freezer.

4. I earned approximately \$7.75 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Packing department. My equipment and protective clothing included slip on rubber boots, cloth gloves, rubber gloves, hair net, beard net, earplugs, and a smock. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant.

7. When I arrived at Farmers Pride I would first walk to my locker. I usually did not clock in when I first arrived because there was a line at the time clock.

8. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my slip on rubber boots. I would then put on my boots in the locker area.

9. I would then walk from the locker area to a supply window. At the supply window, I waited in line and picked up a clean smock, cloth gloves, rubber gloves, hair net, beard net, and earplugs. There was almost always a line to pick up equipment at the supply window.

10. I then put on outside of the supply window my cloth gloves, rubber gloves, hairnet, beard net, earplugs and smock.

11. When I worked at Farmers Pride the time clock was just inside the main entrance to the plant. After I was dressed and ready to work I walked back to the time clock and clocked in.

12. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work prior to the start of my shift.

13. After I was dressed and ready to work, I walked to the entrance of the Packing department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean. On more than one occasion my smock would break while I was waiting in line. I would be required to return to the supply window and exchange my smock prior to going into my department.

14. At the end of my shift I would take off my smock, cloth gloves and rubber gloves. I then got in line to use a wash station to wash my rubber gloves and boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

15. After washing, I would exit my department and walk towards the locker room.

16. At my locker, I removed my boots. The locker room was often crowded. It was common that I had to wait to get to my locker. I stowed my boots in my locker. I then changed back into my street clothes. I placed in a laundry bin in the locker area my rubber gloves, cloth gloves, smock, ear plugs, beard net, and hairnet.

Meal Period

17. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor Nelson would yell "break" and the line stopped for exactly 30 minutes while support and production employees took a meal period.

18. At the start of my 30-minute meal period I was required to take off my cloth gloves, rubber gloves and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, rubber gloves and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

19. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after I left my workstation for my 30-minute meal period or my supervisor would yell at me because the chickens would start to pile up.

20. It took longer to remove and wash my rubber gloves and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

RUBEN ROSADO

El que suscribe, Rubén Rosado, en este acto manifiesta lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy ex empleado de Farmers Pride, Inc. ("Farmers Pride") de la planta en Fredericksburg, Pennsylvania.

3. Trabajé en el departamento de Embalaje de Farmers Pride desde aproximadamente septiembre de 2004 hasta aproximadamente febrero de 2006. Mis obligaciones laborales principalmente consistían en poner el pollo en el congelador.

4. Aproximadamente ganaba \$7.75 la hora.

Ponerse/Quitarse el Equipo

5. En Farmers Pride tenía que usar equipo y prendas de protección en el departamento de Embalaje. Mi equipo y prendas de protección incluyen botas de goma sin cordones, guantes de tela, guantes de goma, red para el cabello, red para la barba, tapones para los oídos y una bata. Mis supervisores me pedían colocarme este equipo antes de iniciar mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta.

7. Lo primero que hacía al llegar a Farmers Pride era dirigirme hacia mi locker. En general, yo no checaba en cuanto llegaba porque había fila en el reloj checador.

8. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker sacaba mis botas de goma. Después me ponía mis botas en el área de vestidores.

9. Posteriormente caminaba desde el área de vestidores hasta la ventana de suministros. En la ventana de suministros, esperaba en la fila y recogía una bata limpia, guantes de tela, guantes de goma, red para el cabello, red para la barba y los tapones para los oídos. Casi siempre había fila para recoger el equipo en la ventana de suministros.

10. Después me ponía fuera de la ventana de suministros mis guantes de tela, los guantes de goma, la red para el cabello, la red para la barba, los tapones para los oídos y la bata.

11. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Después de haberme vestido y estar listo para trabajar, regresaba al reloj checador y checaba.

12. Sin importar el orden que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía yo estar vestido y listo para trabajar antes de que iniciara mi turno.

13. Una vez vestido y listo para trabajar, caminaba hacia la entrada del departamento de Empacado y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio. En más de una ocasión mi bata se rompió mientras estaba esperando en la fila. Debía regresar a la ventana de suministros y cambiar mi bata antes de ingresar a mi departamento.

14. Al final de mi turno, me quitaba la bata, los guantes de tela y los guantes de goma. Posteriormente me formaba en la fila para utilizar una estación de lavado y lavar mis guantes de goma y botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

15. Después del lavado, procedía a salir de mi departamento y dirigirme hacia el área de vestidores.

16. Frente a mi locker, me quitaba las botas. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Guardaba las botas en mi locker. Después me ponía mi ropa de calle. Colocaba en una canasta de lavandería que se encontraba en el área de lockers mis guantes de goma, los guantes de tela, la bata, los tapones para los oídos, la red para la barba y la red para el cabello.

Descansos para comer

17. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer, sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor Nelson gritaba “descanso” y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte tomaban un descanso para comer.

18. Al inicio de mi descanso de 30 minutos de comida debía quitarme los guantes de tela, los guantes de goma y la bata, y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis guantes de tela, los de goma y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño sin haberme quitado el equipo.

19. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo exactamente 30 minutos después de haber dejado mi estación de trabajo para tomar mi descanso de 30 minutos de comida o mi supervisor me gritaría porque los pollos empezaban a apilarse.

20. Me tardaba más tiempo en quitarme y lavar mis guantes de goma y botas al final del día que durante el descanso de comida porque al final del día mi equipo se iba a quedar en mi locker y en el cuarto de suministros durante la noche. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre 2009 en Lebanon, Pennsylvania.

Ruben Rosado Rivera
RUBÉN ROSADO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
)	
vs.)	
	)	DECLARATION OF JOYCE MARIE
FARMERS PRIDE INC.,	)	RUBENDALL
)	
Defendant.)	
)	
)	

DECLARATION OF JOYCE MARIE RUBENDALL

I, Joyce Marie Rubendall, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee.

3. I have been working at Farmers Pride in Fredericksburg, Pennsylvania since 1994. I have been working as a Trimmer in the Evisceration department for the last 12 years. I work with the USDA inspectors.

4. My current hourly wage is approximately \$10.25 per hour.

*Now making
\$10.40*

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing in the Evisceration department. Prior to late fall 2007, my equipment and protective clothing included a smock, hairnet, plastic apron, mesh gloves, rubber gloves, ear protection, and steel-toed boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the hairnet, plastic apron, rubber gloves, ear protection and steel toe boots that Farmers Pride required me to wear. I would then put on my boots.

8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.

9. I picked up mesh gloves at my workstation.

10. After the supply window, I put on outside of the supply window my hairnet, plastic apron, rubber gloves, ear protection and steel toe boots before the start of my shift.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. After I was dressed and ready to work, I walked to the entrance of the Evisceration department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

13. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

14. At the end of my shift I would take off my mesh gloves, rubber gloves, smock and plastic apron. I then got in line to use a wash station to wash my mesh gloves, rubber gloves, plastic apron and boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

15. I then left the mesh gloves at my workstation.

16. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, plastic apron, rubber gloves, ear protection, and steel-toed boots. I placed the smock in a laundry bag located near the locker area.

17. I exchanged damaged equipment the following morning.

18. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

19. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew it was time for a meal period because the chickens would stop coming for 30 minutes while the production and support employees took a meal period.

20. At the start of my 30-minute meal period I was required to take off my mesh gloves, rubber gloves, plastic apron and smock and to wash this equipment. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my apron and smock. I left my gloves at my workstation. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

21. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about coming back from lunch late. The chickens started coming exactly 30 minutes after I left the line.

22. It took longer to remove and wash my mesh gloves, rubber gloves, plastic apron and boots at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 6th day of November 2009 in Lebanon, Pennsylvania.


JOYCE MARIE RUBENDALL

Defendant.

DECLARATION OF GARY ALAN RUBENDALL

DECLARATION OF GARY ALAN RUBENDALL

I, Gary Alan Rubendall, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee at the Fredericksburg, Pennsylvania, plant.

3. I have been working in the Cut-Up department of Farmers Pride since 1984. I work primarily on the Pack line. My job duties primarily consist of throwing the chickens on the table for people in the Cut-up department to hang. I also separate livers and hearts.

4. My current hourly wage is \$10.25 *Now \$10.40*

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing on the Pack line in the Cut-up department. Prior to late fall 2007, my equipment and protective clothing included earplugs, a smock, steel-toed boots, cloth gloves, rubber gloves, a plastic apron, and a hairnet. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride the first thing I did was to clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I walked to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out the earplugs, steel-toe boots, cloth gloves, rubber gloves, plastic apron, and hairnet that Farmers Pride required me to wear. I then put on my boots.

8. I then walked from the locker area to a supply window. At the supply window, everyday I waited in line and exchanged damaged equipment and picked up a clean smock. There was almost always a line to pick up equipment at the supply window.

9. After the supply window, I put on outside of the supply window my earplugs, steel-toe boots, cloth gloves, rubber gloves, plastic apron, smock and hairnet before the start of my shift.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Cut-up department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply room all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply room were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. Prior to late fall 2007, at the end of my shift I would take off my cloth gloves, rubber gloves, plastic apron, hairnet, ear plugs, and smock. I then got in line to wash the cloth gloves, rubber gloves, and plastic apron. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I would exit my department and walk towards the locker area. I removed my boots. I then stowed in my locker my hairnet, plastic apron, rubber gloves, cloth gloves, earplugs, and steel-toed boots. I placed the sinock in a laundry bag located near the time clock. I exchanged damaged equipment the following morning.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor would make an


announcement and the chickens stopped coming for exactly 30 minutes while support and production employees took a meal period.

17. At the start of my 30-minute meal period I was required to take off and clean my cloth gloves, rubber gloves, smock and plastic apron. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my gloves, smock and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after I left my workstation for my 30-minute meal period or my supervisor would yell at me for returning late.

19. It took longer to remove and wash my boots, cloth gloves, rubber gloves, smock and plastic apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 6 day of November 2009 in Lebanon Pennsylvania.


GARY ALAN RUBENDALL

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
)	
vs.)	
	)	DECLARATION OF MILCIADES O.
FARMERS PRIDE INC.,	)	SANTANA
)	
Defendant.)	
)	
)	

DECLARATION OF MILCIADES O. SANTANA

I, Milciades O. Santana, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.
2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.
3. I worked at Farmers Pride in the Deboning department from approximately June 2004 through approximately May 2006. My job duties primarily consisted of removing the bones from the chicken.
4. I earned approximately \$9.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Deboning department. My equipment and protective clothing included a smock, plastic apron, cloth gloves, plastic gloves, metal gloves, beard net, hairnet, earplugs, arm protectors, rubber boots, and plastic sleeves. My supervisors required me to put on this equipment prior to the start of my shift.
6. When I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.
7. After clocking in, I would then walk from the time clock to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my cloth gloves, metal gloves, arm protectors, plastic sleeves, and boots. I then put on my boots in the locker area.
8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, apron, hairnet, earplugs, beard net, plastic gloves and exchanged any damaged equipment. There was always a line to get equipment at the supply window.
9. I would then return to my locker and put on my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, beard net, hairnet, earplugs, arm protectors, and plastic sleeves.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my plastic apron, cloth gloves, metal gloves, and arm protectors, plastic sleeves and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I walked to the locker room. The locker room was often crowded. It was common that I had to wait to get to my locker. I removed my smock. I placed my dirty smock in a laundry bag right outside the Deboning department. I then removed my boots. I stowed in my locker my plastic apron, cloth gloves, metal gloves, plastic sleeves, and arm protectors. I threw away my plastic gloves, hairnet, beard net, and earplugs.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal break.

17. At the start of my 30-minute meal period I was required to take off my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, arm protectors and plastic sleeves and cleaned this equipment. I was also required to wash my boots. There was always a line at the sink to wash equipment. I then had to find a hook to hang my smock, plastic apron, cloth gloves, plastic gloves, metal gloves, plastic sleeves and arm protectors. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my boots, plastic apron, cloth gloves, metal gloves, and arm protectors at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MILCIADES O. SANTANA

TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE MILCIADES O.
	)	SANTANA
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE MILCIADES O. SANTANA

El que suscribe, Milciades O. Santana, en este acto manifiesta lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en Farmers Pride en el departamento de Deshuesado desde aproximadamente junio de 2004 hasta aproximadamente mayo de 2006. Mis obligaciones laborales consistían principalmente en quitar los huesos del pollo.

4. Aproximadamente ganaba **\$9.25** la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección como empleado del departamento de Deshuesado. Mi equipo y prendas de protección incluían una bata, mandil de plástico, guantes de tela, guantes de plástico, guantes metálicos, red para la barba, red para el cabello, tapones para los oídos, protectores de antebrazos, botas de goma y **mangas plásticas**. Mis supervisores me pedían colocarme este equipo antes de iniciara mi turno.

6. Cuando yo trabajaba en Farmers Pride, el reloj checador se encontraba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Una vez checada mi entrada, caminaba desde el reloj checador hasta mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, tomaba mis guantes de tela, guantes metálicos, protectores de antebrazos, mangas plásticas y botas. Procedía a calzar mis botas en el área de vestidores.

8. Posteriormente procedía a caminar desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger el equipo adicional que necesitara antes de iniciar mi turno. Recogía una bata limpia, mandil, red para el cabello, tapones para los oídos, red

para la barba, guantes de plástico y cambiaba cualquier equipo dañado. Siempre había fila en la ventana de suministros para recibir el equipo.

9. **Después regresaba a mi locker y me ponía mi bata, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes metálicos, la red para la barba, la red para el cabello, tapones para los oídos, protectores de antebrazos y las mangas plásticas.**

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez vestido y listo para trabajar, caminaba hacia la entrada del departamento de Deshuesado y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos y esperar para entrar a nuestro departamento antes de que empezara el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestido y listo para trabajar antes de que iniciara mi turno.

13. Al final de mi turno, me quitaba mi mandil de plástico, los guantes de tela, los guantes metálicos y los protectores de antebrazos, las mangas plásticas y me formaba para utilizar la estación de lavado y limpiar mi equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme me dirigía al área de vestidores. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Me quitaba mi bata. Colocaba mi bata sucia en una bolsa de lavandería que se encontraba justo fuera

del departamento de Deshuesado. Procedía entonces a quitarme las botas. Guardaba en mi locker mi mandil de plástico, los guantes de tela, los guantes metálicos, las mangas plásticas y los protectores de antebrazos. Tiraba mis guantes de plástico, la red para el cabello, la red para la barba y los tapones para los oídos.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor gritaba “descanso” y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

17. Al inicio de mi descanso de 30 minutos para comer debía quitarme mi bata, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes metálicos, los protectores de antebrazos y las mangas plásticas y limpiar este equipo. También debía lavar mis botas. Siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi bata, el mandil de plástico, los guantes de tela, los guantes de plástico, los guantes metálicos, las mangas plásticas y los protectores de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Me tardaba más quitándome y lavando mis botas, el mandil de plástico, los guantes de tela, los guantes metálicos y los protectores de antebrazos al final del día que durante el descanso de comida porque al final del día, mi equipo se iba a quedar en mi locker y en el

cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de NOVIEMBRE de 2009 en Reading, Pennsylvania.

A handwritten signature in black ink, appearing to read "Milciades O. Santana", written over a horizontal line.

MILCIADES O. SANTANA

I, Isidro Severino, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Cut-Up department from approximately September 2004 until about July 2007. I performed various tasks in the Cut-Up department including cleaning and weighing chickens.

4. I earned approximately \$10.25 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing as an employee in the Cut-Up department. My equipment and protective clothing included earplugs, gloves (cotton and plastic), slip on rubber boots, smock, hairnet, apron, and arm protector. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after I clocked in, I would then walk from the time clock to my locker. The locker room was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my earplugs, gloves (cotton and plastic), slip on rubber boots, hairnet, apron, and arm protector. I then put on my boots in the locker area.

8. I would then walk from the locker area to a supply window. I waited in line to exchange my gear that I needed before the start of my shift. I picked up a clean smock. I exchanged earplugs, cotton gloves, plastic gloves, hairnet, apron, and arm protector. There was almost always a line to get equipment at the supply window.

9. Then I returned to the locker area. I then put on my earplugs, gloves (cotton and plastic), smock, hairnet, apron, and arm protector.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Cut-Up department and waited with my co-workers. We were required to line up and wait at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. I exchanged my equipment everyday.

13. Prior to late fall 2007, at the end of my shift I would take off my gloves (cotton and plastic), apron, and arm protector and get in line to use a wash station to wash this equipment. I also washed my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I walked to the cafeteria. I removed my smock and placed it in a Farmers Pride hamper. Then I walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I stowed in my locker my earplugs, gloves (cotton and plastic), slip on rubber boots, hairnet, ear protector, apron, and arm protector. I exchanged my equipment the following morning.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew that it was time for a meal break because my supervisor would yell "break" and the line stopped for exactly 30 while the hourly production and support employees took a meal period.

17. At the start of my 30-minute meal period I was required to take off my gloves (cotton and plastic), smock, apron, and arm protector and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I

then had to find a hook to hang my gloves (cotton and plastic), smock, apron, and arm protector. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

19. It took longer to remove and wash my gloves (cotton and plastic), apron, and arm protector at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

ISIDRO SEVERINO

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TESTIMONIO DE ISIDRO SEVERINO

TESTIMONIO DE ISIDRO SEVERINO

El que suscribe, Isidro Severino, en este acto manifiesta lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exemplado** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé en Farmers Pride en el departamento de Destazado desde aproximadamente septiembre de 2004 hasta aproximadamente julio de 2007. Realicé diversas tareas en el departamento de Destazado, incluyendo limpiar y pesar pollos.

4. Aproximadamente ganaba \$10.25 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía que usara equipo y prendas de protección como empleado del departamento de destazado. Mi equipo y prendas de protección incluían tapones para los oídos, guantes (de algodón y de plástico), botas de goma sin cordones, bata, red para el cabello, mandil y protector de antebrazos. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de que checaba mi entrada me dirigía desde ahí hasta mi locker. No era raro que el cuarto de vestidores estuviera lleno. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba mis tapones para los oídos, los guantes (de algodón y de plástico), las botas de goma sin cordones, la red para el cabello, el mandil y el protector de antebrazos. Procedía a calzar mis botas en el área de vestidores.

8. Posteriormente procedía a caminar desde el área de vestidores hasta la ventana de suministros. Me formaba para cambiar mi equipo que necesitaba antes de iniciar mi turno. Recogía una bata limpia. Cambiaba los tapones para los oídos, los guantes de algodón, los

guantes de plástico, la red para el cabello, el mandil y el protector de antebrazos. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. **Posteriormente regresaba al área de vestidores. Después me ponía los tapones para los oídos, los guantes (de algodón y de plástico), la bata, la red para el cabello, el mandil y el protector de antebrazos.**

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía estar vestido y listo para trabajar antes de que iniciara el turno.

11. Una vez vestido y listo para trabajar, me dirigía a la entrada del departamento de destazado y esperaba, junto con los demás trabajadores. Debíamos formarnos y esperar para entrar a nuestro departamento antes de que empezara el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Cambiaba mi equipo todos los días.

13. Antes de finales del otoño de 2007, al terminar mi turno me quitaba los guantes (de algodón y de plástico), el mandil y el protector de antebrazos y me formaba para utilizar la estación de lavado y limpiar mi equipo. También lavaba mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme me dirigía a la cafetería. Me quitaba la bata y la colocaba en el cesto de Farmers Pride. Y me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Procedía entonces a quitarme las botas. Ponía en mi locker mis tapones para los oídos, los guantes (de algodón y de plástico), las botas de goma sin cordones, la red para el cabello, los protectores de oídos, el mandil y el protector de antebrazos. Cambiaba mi equipo la siguiente mañana.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor gritaba “descanso” y la línea se detenía durante exactamente 30 minutos mientras los empleados de producción y soporte por hora tomaban un descanso para comer.

17. Al inicio de mi descanso de 30 minutos de comida, debía quitarme los guantes (de algodón y de plástico), la bata, el mandil y el protector de antebrazos y limpiar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis guantes (de algodón y de plástico), la bata, el mandil y el protector de antebrazos. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

18. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

19. Me tardaba más quitándome y lavando mis guantes (de algodón y de plástico), el mandil y el protector de antebrazos al final del día que durante el descanso de comida porque al final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 10 días de Noviembre de 2009 en Reading, Pennsylvania.

Isidro Severino
ISIDRO SEVERINO

DECLARATION OF GLADYS SOLIS

DECLARATION OF GLADYS SOLIS

I, Gladys Solis, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked as a Cutter in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately May 2003 until around November 2007.

4. I earned approximately \$9.75 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing consisted of a smock, apron, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, plastic arm guard, rubber slip on boots, and protective sleeves. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my mesh gloves, plastic arm guard, boots, apron, protective sleeves, plastic gloves, and cloth gloves. I then put on my boots in the locker area.

8. I would then walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, earplugs, and hairnet and exchanged damaged equipment such as getting new apron, cloth and plastic gloves. There was almost always a line to get equipment at the supply window.

9. I then put on outside of the supply window my smock, apron, plastic gloves, cloth gloves, mesh gloves, hairnet, earplugs, plastic arm guard, and protective sleeves.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

12. Once a week, we were required to get new equipment. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. On this day, I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my cloth gloves, plastic gloves, mesh gloves, arm protector, plastic sleeves and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department. I removed the smock and placed the smock in a laundry bag outside of my department. I then walked towards my locker to throw away my hairnet and earplugs. I then stowed in my locker my mesh gloves, plastic arm guard, boots, apron, protective sleeves, plastic gloves, and cloth gloves.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would announce the break

and the line would stop for exactly 30-minutes while hourly support and production employees had a meal period.

17. At the start of my 30-minute meal period I was required to take off my cloth gloves, plastic gloves, protective sleeves, mesh gloves, plastic arm protector, and apron, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my cloth gloves, mesh gloves, plastic gloves, plastic arm protector, sleeve protectors, and apron. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble.

19. It took longer to remove and wash my boots, mesh gloves, cloth gloves, plastic gloves, plastic arm protector, protective sleeves and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

GLADYS SOLIS

TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS DE AMÉRICA
DISTRITO DEL ESTE DE PENNSYLVANIA

LUZ LUGO y YESENIA MARCO	)	CASO NO. 07-0749
en representación de sus propias)	
personas y la de todos los demás)	
que se encuentren en la misma situación)	
)	
Actoras,)	
)	
vs.	)	TESTIMONIO DE GLADYS SOLIS
)	
FARMERS PRIDE INC.,)	
)	
Demandada.)	
)	

TESTIMONIO DE GLADYS SOLIS

La que suscribe, Gladys Solis, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé como Destazadora en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente mayo de 2003 hasta aproximadamente noviembre de 2007.

4. Aproximadamente ganaba \$9.75 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño de 2007, mi equipo y prendas de protección se comprendían de una bata, mandil, guantes de plástico, guantes de tela, guantes de malla, red para el cabello, tapones para los oídos, protector de plástico para antebrazos, botas de goma sin cordones y mangas protectoras. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo pasando la puerta principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de checar me dirigía desde el reloj checador hasta el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba mis guantes de malla, el protector de plástico para antebrazos, las botas, el mandil, las mangas protectoras, los guantes de plástico y los guantes de tela. Procedía a calzar mis botas en el área de vestidores.

8. Posteriormente procedía a caminar desde el área de vestidores hasta la ventana de suministros. Me formaba y esperaba para recoger el equipo adicional que necesitara antes de

iniciar mi turno. Recogía una bata limpia, tapones para los oídos y la red para el cabello, y cambiaba el equipo dañado, como por ejemplo, obtener un nuevo mandil, guantes de tela y de plástico. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Después de pasar a la ventana de suministros, me ponía la bata, el mandil, los guantes de plástico, los guantes de tela, los guantes de malla, la red para el cabello, los tapones para los oídos, el protector de plástico para antebrazos y las mangas protectoras.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía estar vestida y lista para trabajar antes de que iniciara el turno.

11. Una vez vestida y lista para trabajar, caminaba hacia la entrada del departamento de Deshuesado y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

12. Debíamos recibir equipo nuevo una vez a la semana. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Regularmente, ese día yo llegaba más temprano que de costumbre para asegurarme de contar con suficiente tiempo para recoger las prendas y el equipo de protección y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Al final de mi turno, me quitaba los guantes de tela, los guantes de plástico, los guantes de malla, el protector de antebrazos, las mangas plásticas y el mandil y me formaba para utilizar la estación de lavado y limpiar mi equipo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme salía de mi departamento. Me quitaba la bata y la colocaba en una bolsa de lavandería que se encontraba fuera de mi departamento. Después caminaba hacia mi locker para tirar la red para el cabello y los tapones para los oídos. Posteriormente

guardaba en mi locker mis guantes de malla, el protector de plástico para antebrazos, las botas, el mandil, las mangas protectoras, los guantes de plástico y los guantes de tela.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque los supervisores lo anunciaban y la línea se detenía durante exactamente 30 minutos para que los empleados de soporte y producción por hora tuvieran su descanso para comer.

17. Al inicio de mi descanso de 30 minutos de comida, debía quitarme los guantes de tela, los guantes de plástico, las mangas protectoras, los guantes de malla, el protector de plástico para antebrazos y el mandil, y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis guantes de tela, los guantes de malla, los guantes de plástico, el protector de plástico para antebrazos, los protectores de manga y el mandil. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

18. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o tendría problemas.

19. Me tardaba más quitándome y lavando mis botas, los guantes de malla, los guantes de tela, los guantes de plástico, el protector de plástico para antebrazos, las mangas protectoras y el mandil al final del día que durante el descanso de comida porque al final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 17 días de Noviembre de 2009 en Harrisburg, Pennsylvania.

Gladys Solis
GLADYS SOLIS

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
vs.)	
	)	DECLARATION OF JOHANNA
FARMERS PRIDE INC.,	)	TAVAREZ
)	
Defendant.)	
)	
)	

DECLARATION OF JOHANNA TAVAREZ

I, Johanna Tavarez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked at Farmers Pride in the Deboning department from approximately May 2005 until approximately November 2007. I performed various tasks in thigh Deboning including cutting chicken and removing bones with scissors.

4. I earned approximately \$8.00 to \$8.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. Prior to late fall 2007, my equipment and protective clothing included plastic gloves, cloth gloves, metal gloves, a hairnet, smock, arm protector, earplugs, apron, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was near the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, I would then walk to my locker. The locker area was often crowded. It was common that I had to wait to get to my locker. If I did not take this equipment home the night before, I removed this equipment from my locker. Once at my locker, I usually removed my cloth gloves, plastic gloves, boots, metal gloves, hairnet, apron and arm protector. I then put on my boots in the locker area.

8. Prior to late fall 2007, I would then carry my equipment and protective clothing with me from my locker to a supply window. At the supply window I waited in line and picked up a clean smock, earplugs and exchanged any gear that I needed for the day such as new gloves before the start of my shift. There was almost always a line to get equipment at the supply window.

9. I then walked towards the entrance of the Deboning department. I put on my plastic gloves, cloth gloves, metal gloves, hairnet, smock, arm protector, earplugs, and apron in the hallway outside the entrance of my department. We were required to line up at the entrance of our department with our equipment and clothing on and ready to work prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

10. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

11. Once a week, we were required to get new equipment before the start of our shift. As such, once a week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

12. Prior to late fall 2007, at the end of my shift I would take get in line to use a wash station and remove and wash my cloth gloves, plastic gloves, metal gloves, arm protector, and apron. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

13. After washing, I exited my department. I removed my smock. I placed my smock in a Farmers Pride hamper located just outside the department. I then walked to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. I then removed my boots. I then usually stowed in my locker my metal gloves, hairnet, arm protector, apron, and boots, cloth gloves and plastic gloves. I occasionally took some of my equipment home to continue cleaning. I threw away my earplugs.

14. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

15. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because my supervisor yelled "break" and the line stopped for exactly 30 minutes while the hourly production and support employees took a 30-minute break.

16. At the start of the 30-minute meal break, I was required to take off my cloth gloves, plastic gloves, metal gloves, arm protector, smock and apron and clean this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my plastic apron, smock, and gloves (metal, cloth, and rubber). I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

17. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation exactly within 30 minutes after leaving my workstation for my 30-minute meal period or my supervisor would speak with me about returning late from lunch.

18. It took longer to remove and wash my cloth gloves, plastic gloves, metal gloves, arm protector, and apron at the end of the day than during the meal period because at the end of the day, my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

JOHANNA TAVAREZ

Demandada.

TESTIMONIO DE JOHANNA TAVAREZ

TESTIMONIO DE JOHANNA TAVAREZ

La que suscribe, Johanna Tavaréz, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.
2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").
3. Trabajé en Farmers Pride en el departamento de Deshuesado desde aproximadamente mayo de 2005 hasta aproximadamente noviembre de 2007. Realicé diversas tareas en Deshuesado de muslos, incluyendo cortar el pollo y quitar los huesos con tijeras.
4. Aproximadamente ganaba entre \$8.00 y **\$8.50** la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Antes de finales del otoño de 2007, mi equipo y mis prendas de protección incluían guantes de plástico, guantes de tela, guantes metálicos, una red para el cabello, bata, protector de antebrazos, tapones para los oídos, mandil y botas de seguridad. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.
6. Antes de finales del otoño de 2007, cuando trabajé en Farmers Pride, el reloj checador estaba cerca de la entrada principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.
7. Antes de finales del otoño de 2007, me dirigí a mi locker. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Si no me llevaba este equipo a casa la noche anterior, lo sacaba de mi locker. Una vez en mi locker, generalmente sacaba mis guantes de tela, los guantes de plástico, las botas, los guantes metálicos, la red para el cabello, el mandil y el protector de antebrazos. Procedía a calzar mis botas en el área de vestidores.
8. Antes de finales del otoño de 2007, llevaba mi equipo y las prendas de protección desde mi locker hasta una venta de suministros. En la ventana de suministros me formaba y recogía una bata limpia, tapones para los oídos y cambiaba cualquier equipo que necesitara para

el día tales como guantes nuevos antes de iniciar mi turno. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. **Después me dirigí a la entrada del departamento de Deshuesado. Me ponía mis guantes de plástico, los guantes de tela, los guantes metálicos, la red para el cabello, la bata, el protector de antebrazos, los tapones para los oídos y el mandil en el pasillo fuera de la entrada de mi departamento. Teníamos que formarnos a la entrada de nuestro departamento con nuestro equipo y la ropa puesta y listos para trabajar antes de iniciar nuestro turno. Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía estar vestida y lista para trabajar antes de que iniciara el turno.

11. Una vez a la semana teníamos que recoger equipo nuevo antes de empezar nuestro turno. Así, una vez a la semana y antes de empezar el turno, me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

12. Antes de finales del otoño de 2007, al terminar mi turno me formaba para utilizar la estación de lavado y quitarme y lavar mis guantes de tela, los guantes de plástico, los guantes metálicos, el protector de antebrazos y el mandil. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

13. Después de lavarme salía de mi departamento. Me quitaba mi bata. Colocaba mi bata en un cesto de Farmers Pride que se encontraba fuera del departamento. Y me dirigía hacia el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Procedía entonces a quitarme las botas. Después

guardaba generalmente en mi locker mis guantes metálicos, la red para el cabello, el protector de antebrazos, el mandil y las botas, así como los guantes de tela y los guantes de plástico.

Ocasionalmente me llevaba mi equipo a casa para continuar limpiándolo. Tiraba mis tapones para los oídos.

14. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

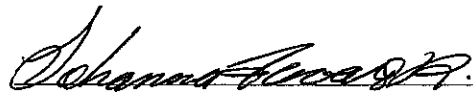
15. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora para comer porque mi supervisor gritaba “descanso” y la línea se detenía durante exactamente 30 minutos mientras que los empleados de producción y soporte por hora tomaban su descanso de 30 minutos.

16. Al inicio del descanso de 30 minutos para comer, debía quitarme mis guantes de tela, los guantes de plástico, los guantes metálicos, el protector de antebrazos, la bata y el mandil y limpiar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi mandil de plástico, la bata y los guantes (metálicos, de tela y de goma). Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

17. Después de comer, debía esterilizar mis manos, recoger mi equipo, ponérmelo otra vez y caminar de vuelta a mi estación de trabajo antes de que se cumplieran 30 minutos desde el momento en que la dejaba para los 30 minutos de comida o tendría a mi supervisor diciéndome que regresaba tarde del almuerzo.

18. Me tardaba más quitándome y lavando mis guantes de tela, los guantes de plástico, los guantes metálicos, el protector de antebrazos y el mandil al final del día que durante el descanso de comida porque al final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 9 días de Noviembre de 2009 en Reading Pennsylvania.



JOHANNA TAVAREZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**LUZ LUGO and YESENIA MARCO
on behalf of themselves and all other
similarly situated individuals**

Plaintiffs,

vs.

FARMERS PRIDE INC.,

Defendant.

CASE NO. 07-0749

DECLARATION OF GLADYS URBAEZ

DECLARATION OF GLADYS URBAEZ

I, Gladys Urbaez, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a current Farmers Pride, Inc. ("Farmers Pride") employee.

3. I have worked as a Cutter in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania since approximately March 2004.

4. I earn approximately \$8.50 to \$10.20 per hour.

Donning/Doffing Equipment

5. Farmers Pride requires me to wear equipment and protective clothing as a Cutter in the Deboning department. Prior to late fall 2007, my equipment and protective clothing consist of a smock, earplugs, arm guard, apron, hairnet, plastic gloves, cloth gloves, mesh gloves, and steel-toe boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. Prior to late fall 2007, when I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. Prior to late fall 2007, after clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots, earplugs, arm guard, apron, hairnet, plastic gloves, mesh gloves and cloth gloves. I then put on my boots, earplugs, apron, and hairnet.

8. I would then carry my equipment and protective clothing from the locker area to a supply window. I waited in line at the supply window to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock and exchanged damaged equipment such as getting new earplugs or new gloves. There was almost always a line to get equipment at the supply window.

9. I then walked towards the Deboning department. I put on my arm guard, plastic gloves, mesh gloves, cloth gloves, and smock outside of the entrance of my department.

10. After I was dressed and ready to work, I waited at the entrance of the Deboning department with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift. During this time, Farmers Pride supervisors and employees checked to make sure we had our equipment on properly and that our equipment was clean.

11. Regardless of what order I did the activities above, my supervisors told me that I was required to be dressed and ready to work before the start of my shift.

12. One day out of the week, we were required to get new equipment. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker room. I then carried my arm guard, cloth gloves, plastic gloves, mesh gloves, apron, and smock to the supply room and exchanged this equipment. The lines at the supply room were longer than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. Prior to late fall 2007, at the end of my shift I would take off my arm guard, cloth gloves, plastic gloves, metal gloves, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department. I removed the smock. I then placed the smock in a laundry bag just outside my department.

15. I then walked towards the time clock and clocked out.

16. I then walked towards my locker to stow my arm guard, cloth gloves, plastic gloves, metal gloves, apron, hairnet, and earplugs. I also removed my boots and stowed them in my locker.

17. I then left the plant.

Meal Period

18. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30

minutes. I knew it was time for a meal period because the chickens stopped coming and the line would stop for exactly 30-minutes while hourly support and production employees had a meal period.

19. At the start of my 30-minute meal period I was required to take off my arm guard, cloth gloves, plastic gloves, metal gloves, apron, and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my arm guard, cloth gloves, metal gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

20. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period.

21. It took longer to remove and wash my boots, arm guard, metal gloves, cloth gloves, plastic gloves, and apron at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

GLADYS URBAEZ

La que suscribe, Gladys Urbaez, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Actualmente soy **empleada** de Farmers Pride, Inc. ("Farmers Pride").

3. He trabajado como Destazadora en el departamento de **Deshuesado** de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente marzo de 2004.

4. Aproximadamente gano entre **\$8.50** y **\$10.20** la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pide usar equipo y prendas de protección como Cortadora del departamento de Deshuesado. Antes de finales del otoño de 2007, mi equipo y mis prendas de protección consistían de una bata, tapones para los oídos, protector de antebrazos, mandil, red para el cabello, guantes de plástico, guantes de tela, **guantes de malla y botas de seguridad**. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Antes de finales del otoño de 2007, cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo pasando la puerta principal a la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Antes de finales del otoño de 2007, después de checar me dirigía desde el reloj checador hasta el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Una vez en mi locker, sacaba mis botas, los tapones para los oídos, el protector de antebrazos, el mandil, la red para el cabello, los guantes de plástico, los guantes de malla y los guantes de tela. Después me ponía mis botas, los tapones para los oídos, el mandil y la red para el cabello.

8. Posteriormente llevaba mi equipo y mis prendas de protección desde el área de vestidores hasta una ventana de suministros. Me formaba en la ventana de suministros para recoger el equipo adicional que necesitaba antes de iniciar mi turno. Recogía una bata limpia y

cambiaba el equipo dañado como por ejemplo, pedía nuevos tapones para los oídos o guantes nuevos. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. **Después me dirigía hacia el departamento de Deshuesado. Me ponía mi protector de antebrazos, los guantes de plástico, los guantes de malla, los guantes de tela y la bata fuera de la entrada de mi departamento.**

10. Una vez vestida y lista para trabajar, esperaba en la entrada del departamento de Deshuesado junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno. **Durante ese tiempo los supervisores y los empleados de Farmers Pride nos revisaban para asegurarse de que vestíamos el equipo adecuadamente y que estaba limpio.**

11. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores me dijeron que debía estar vestida y lista para trabajar antes de que iniciara el turno.

12. Un día a la semana debíamos recibir equipo nuevo. Así, una vez a la semana me calzaba las botas en el vestidor antes de empezar mi turno. Después llevaba mi protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes de malla, el mandil y la bata al cuarto de suministros y cambiaba este equipo. Las filas en el cuarto de suministros eran más largas ese día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Antes de finales del otoño de 2007, al terminar mi turno me quitaba el protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes metálicos y el mandil y me formaba para utilizar la estación de lavado para limpiar este equipo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme salía de mi departamento. Me quitaba la bata. Después colocaba la bata en una bolsa de lavandería que se encontraba justo afuera de mi departamento.

15. Después me dirigía hacia el reloj para checar.

16. Posteriormente me dirigía a mi locker para guardar mi protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes metálicos, el mandil, la red para el cabello y los tapones para los oídos. También me quitaba las botas y las guardaba en el locker.

17. Y salía de la planta.

Descansos para comer

18. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque no seguían mandando pollos y la línea se detenía durante exactamente 30 minutos para que los empleados de soporte y producción por hora tuvieran su descanso para comer.

19. Al inicio de mi descanso de 30 minutos de comida, debía quitarme mi protector de antebrazos, los guantes de tela, los guantes de plástico, los guantes metálicos, el mandil y la bata, y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mi protector de antebrazos, los guantes de tela, los guantes metálicos, los guantes de plástico, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

20. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran exactamente 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer.

21. Me tardaba más quitándome y lavando mis botas, el protector de antebrazos, los guantes metálicos, los guantes de tela, los guantes de plástico y el mandil al final del día que durante el descanso de comida porque al final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de 10 de 2009 en PA, Pennsylvania.


GLADYS URBAEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LUZ LUGO and YESENIA MARCO	)	CASE NO. 07-0749
on behalf of themselves and all other)	
similarly situated individuals)	
)	
Plaintiffs,)	
)	
)	
vs.)	
	)	DECLARATION OF MARIA M.
FARMERS PRIDE INC.,	)	VARGAS
)	
Defendant.)	
)	
)	

DECLARATION OF MARIA M. VARGAS

I, Maria M. Vargas, hereby declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and if I am called upon to testify, I could and would testify to the truth and accuracy of the following.

2. I am a former Farmers Pride, Inc. ("Farmers Pride") employee.

3. I worked as a Cutter in the Deboning department at Farmers Pride in Fredericksburg, Pennsylvania from approximately July 2003 until around July 2007.

4. I earned approximately \$9.50 per hour.

Donning/Doffing Equipment

5. Farmers Pride required me to wear equipment and protective clothing in the Deboning department. My equipment and protective clothing included an apron, smock, hairnet, earplugs, protective sleeves, rubber gloves, plastic gloves, cloth gloves, and rubber slip on boots. My supervisors required me to put on this equipment prior to the start of my shift.

6. When I worked at Farmers Pride, the time clock was just inside the main entrance to the plant. When I arrived at Farmers Pride I would first clock in at the time clock.

7. After clocking in, I would then walk from the time clock to the locker area. The locker area was often crowded. It was common that I had to wait to get to my locker. Once at my locker I took out my boots. I removed from my locker my cloth gloves, plastic gloves, protective sleeves, and apron. Occasionally, I brought some equipment from home. I then put on my boots in the locker area.

8. I would then carry my clothing and equipment and walk from the locker area to a supply window. I waited in line to pick up some additional gear that I needed before the start of my shift. I picked up a clean smock, rubber gloves, a hairnet, and earplugs and exchanged damaged equipment. There was almost always a line to get equipment at the supply window.

9. I then put on outside of the supply window my apron, smock, hairnet, earplugs, protective sleeves, rubber gloves, plastic gloves, and cloth gloves.

10. Regardless of what order I did the activities above, my supervisors including Madeline and Carlos told me that I was required to be dressed and ready to work before the start of my shift.

11. After I was dressed and ready to work, I walked to the entrance of the Deboning department and waited with my co-workers. We were required to line up at the entrance of our department prior to the start of our shift.

12. On one day out of the week, we were required to get new equipment before the start of our shift. As such, on one day out of the week, prior to the start of my shift, I put on my boots in the locker area. I then carried from my locker to the supply window all of my protective clothing and equipment and exchanged all of this equipment. The lines at the supply window were longer on this day than through out the week. I regularly arrived to the plant earlier than I usually arrived to make sure I had enough time to gather my protective clothing and equipment and be dressed and ready to work before the start of my shift.

13. At the end of my shift I would take off my cloth gloves, plastic gloves, protective sleeves, and apron and get in line to use a wash station to wash this equipment. I was also required to wash my boots. There was almost always a line to wash equipment. I was required to wash and dry my equipment.

14. After washing, I exited my department. I removed my smock. I put my smock in a Farmers Pride hamper by the exit of the department. I then walked towards my locker to stow my boots. I threw away my rubber gloves, hairnet, and earplugs. I then stowed in my locker my apron, plastic gloves, cloth gloves, and protective sleeves. I also removed my boots and stowed them in my locker.

15. I then walked towards the time clock. I clocked out as I left the plant.

Meal Period

16. When I was first hired at Farmers Pride, I was told that I would receive a 30-minute, unpaid meal period. This turned out to not be true. My meal period was less than 30 minutes. I knew it was time for a meal period because the supervisors would announce the break

and the line would stop for exactly 30-minutes while hourly support and production employees had a meal period.

17. At the start of my 30-minute meal period I was required to take off my protective sleeves, rubber gloves, cloth gloves, plastic gloves, apron, and smock, and wash this equipment. I was also required to wash my boots. There was almost always a line at the sink to wash equipment. I then had to find a hook to hang my protective sleeves, rubber gloves, plastic gloves, apron, and smock. I then walked to the lunchroom. I was not permitted to leave my work area to go to the lunchroom or rest room with my equipment on.

18. After eating lunch, I was required to sterilize my hands, retrieve my equipment, put my equipment back on and walk back to my workstation within exactly 30 minutes after leaving my workstation for my 30-minute meal period or I would get in trouble. On one occasion, I received a verbal warning for returning from lunch a couple of minutes after 30 minutes.

19. It took longer to remove and wash my boots, protective sleeves, cloth gloves, plastic gloves, and apron, at the end of the day than during the meal period because at the end of the day my equipment was going to be left overnight in my locker and in the supply room. As a result, the equipment had to be sterile enough to sit overnight.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this ____ day of _____ 2009 in _____, Pennsylvania.

MARIA M. VARGAS

La que suscribe, Maria M. Vargas, en este acto manifiesto lo siguiente:

1. Tengo conocimiento de primera mano con respecto a los temas que abarca este testimonio y si se me pide ratificarlo puedo y podré dar fe en cuanto a la veracidad y la exactitud de lo siguiente.

2. Soy **exempleada** de Farmers Pride, Inc. ("Farmers Pride").

3. Trabajé como Recortadora en el departamento de Deshuesado de Farmers Pride en Fredericksburg, Pennsylvania desde aproximadamente julio de 2003 hasta aproximadamente julio de 2007.

4. Aproximadamente ganaba \$9.50 la hora.

Ponerse/Quitarse el Equipo

5. Farmers Pride me pedía usar equipo y prendas de protección dentro del departamento de Deshuesado. Mi equipo y prendas de protección incluían un mandil, bata, red para el cabello, tapones para los oídos, mangas protectoras, guantes de goma, guantes de plástico, guantes de tela y **botas** de plástico sin cordones. Mis supervisores me pedían colocarme este equipo antes de que iniciara mi turno.

6. Cuando trabajaba en Farmers Pride, el reloj checador se encontraba justo al pasar la entrada principal de la planta. Lo primero que hacía al llegar a Farmers Pride era checar mi entrada en el reloj checador.

7. Después de checar caminaba desde el reloj checador hasta el área de vestidores. No era raro que el área de vestidores estuviera llena de gente. No era raro tener que esperar para poder llegar a mi locker. Cuando llegaba a mi locker me quitaba las botas. Sacaba de mi locker mis guantes de tela, los guantes de plástico, las mangas protectoras y el mandil. Ocasionalmente traía equipo de mi casa. Procedía a calzar mis botas en el área de vestidores.

8. Después llevaba mis prendas y el equipo y caminaba desde el área de vestidores hasta una ventana de suministros. Me formaba y esperaba para recoger el equipo adicional que necesitara antes de iniciar mi turno. Recogía una bata limpia, los guantes de goma, una red para

el cabello y los tapones para los oídos y cambiaba el equipo dañado. Casi siempre había fila en la ventana de suministros para recibir el equipo.

9. Después de pasar a la ventana de suministros, me ponía mi mandil, la bata, la red para el cabello, los tapones para los oídos, las mangas protectoras, los guantes de goma, los guantes de plástico y los guantes de tela.

10. Sin importar el orden en el que hiciera las actividades antes mencionadas, mis supervisores, incluyendo a Madeline y Carlos, me dijeron que debía estar vestida y lista para trabajar antes de que iniciara el turno.

11. Una vez vestida y lista para trabajar, caminaba hacia la entrada del departamento de Deshuesado y esperaba, junto con mis compañeros de trabajo. Debíamos formarnos a la entrada de nuestro departamento antes de iniciar el turno.

12. Un día de la semana debíamos recoger equipo nuevo antes de empezar el turno. Así, un día a la semana, antes del inicio de mi turno me calzaba las botas en el área de vestidores. Procedía a cargar todas las prendas y equipo de protección desde mi locker a la ventana de suministros para intercambiar todo ese equipo. Ese día, las filas para llegar a la ventana de suministros eran más largas que cualquier otro día de la semana. Por lo general llegaba a la planta más temprano que de costumbre para asegurarme de contar con suficiente tiempo para reunir las prendas y el equipo de protección que me habían asignado y estar vestida y lista para trabajar antes de que iniciara mi turno.

13. Al final de mi turno, me quitaba mis guantes de tela, los guantes de plástico, las mangas protectoras y el mandil y formarme para utilizar una estación de lavado para limpiar este equipo. También debía lavar mis botas. No era raro que hubiera fila para lavar el equipo. Debía lavar y secar mi equipo.

14. Después de lavarme salía de mi departamento. Me quitaba mi bata. Ponía mi bata en un cesto de Farmers Pride que se encontraba a la salida del departamento. Después me dirigía hacia mi locker y guardaba mis botas. Tiraba mis guantes de plástico, la red para el cabello y los tapones para los oídos. Después guardaba en mi locker mi mandil, los guantes de

plástico, los guantes de tela y las mangas protectoras. También me quitaba las botas y las guardaba en el locker.

15. Después me dirigía hacia el reloj checador. Checaba mi salida e inmediatamente procedía a dejar la planta.

Descansos para comer

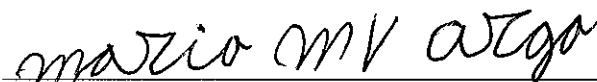
16. Cuando se me contrató en Farmers Pride, me dijeron que me darían un descanso de 30 minutos para comer sin goce de sueldo. Ello no resultó ser cierto. El tiempo que me daban para comer era menos de 30 minutos. Sabía que era hora del descanso para comer porque los supervisores lo anunciaban y la línea se detenía durante exactamente 30 minutos para que los empleados de soporte y producción por hora tuvieran su descanso para comer.

17. Al inicio de mi descanso de 30 minutos de comida, debía quitarme mis mangas protectoras, los guantes de goma, los guantes de tela, los guantes de plástico, el mandil y la bata, y lavar este equipo. También debía lavar mis botas. Casi siempre había fila en el lavabo para lavar el equipo. Después tenía que encontrar un gancho para colgar mis mangas protectoras, los guantes de goma, los guantes de plástico, el mandil y la bata. Me dirigía hacia el comedor. No podía salir de mi área de trabajo para ir al comedor o al baño con el equipo puesto.

18. Después de comer debía esterilizar mis manos, recoger mi equipo, ponérmelo de vuelta y regresar a mi estación de trabajo antes de que transcurrieran 30 minutos después de haberla dejado para tomar el descanso de 30 minutos para comer o **tendría problemas. En una ocasión, recibí una advertencia verbal por regresar del descanso un par de minutos después de los 30 minutos.**

19. Me tardaba más quitándome y lavando mis botas, las mangas protectoras, los guantes de tela, los guantes de plástico y el mandil al final del día que durante el descanso para comer porque al final del día, mi equipo se iba a quedar en mi locker y en el cuarto de suministros. Por ello, el equipo debía estar bien estéril para que reposara durante la noche.

En términos de la legislación de la Comunidad de Pennsylvania, manifiesto bajo juramento que lo anterior es fiel y correcto. Celebrado a los 11 días de noviembre de 2009 en Reading Pennsylvania.

A handwritten signature in black ink, appearing to read "maria MV Vargas", written over a horizontal line.

MARIA M. VARGAS